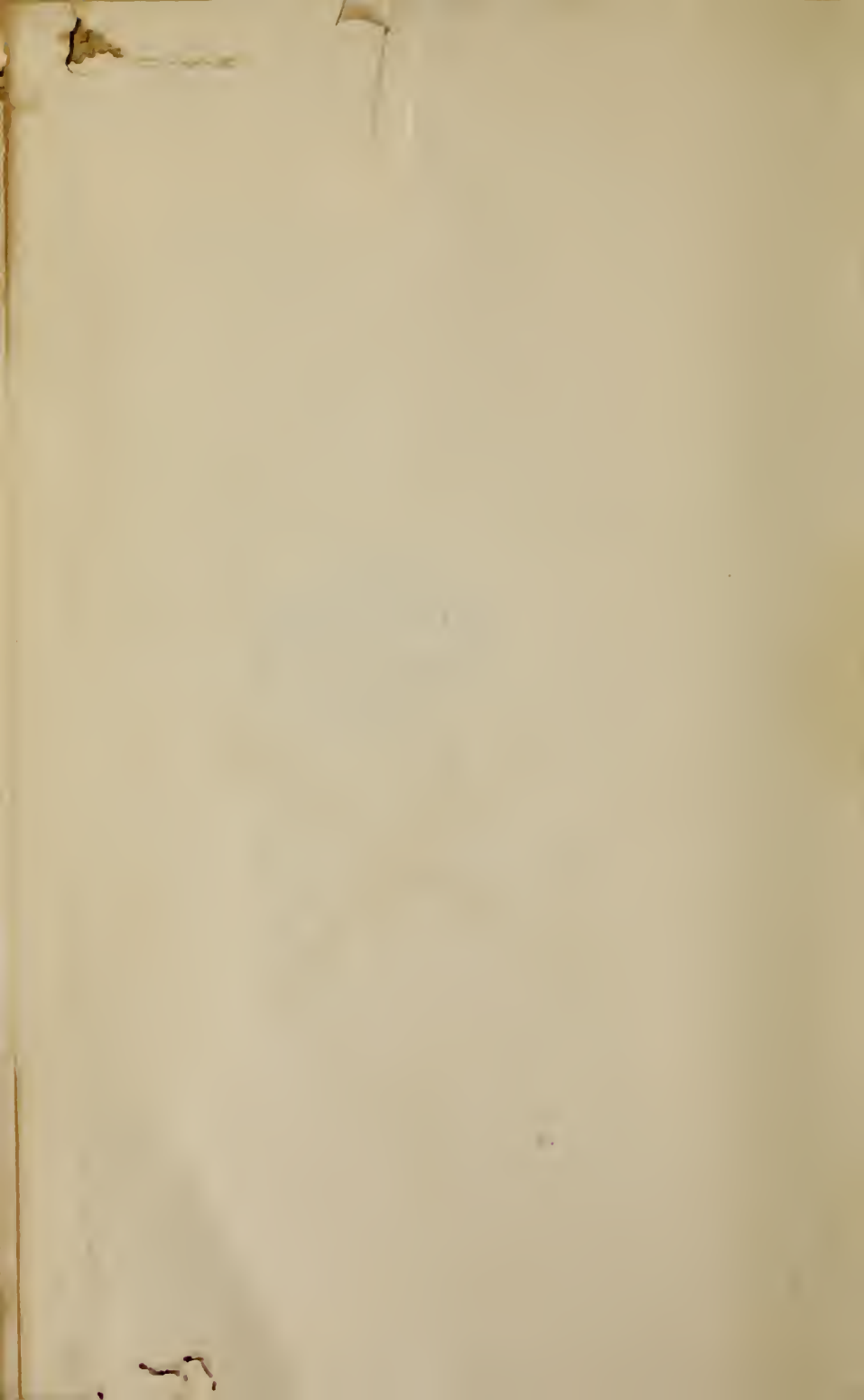




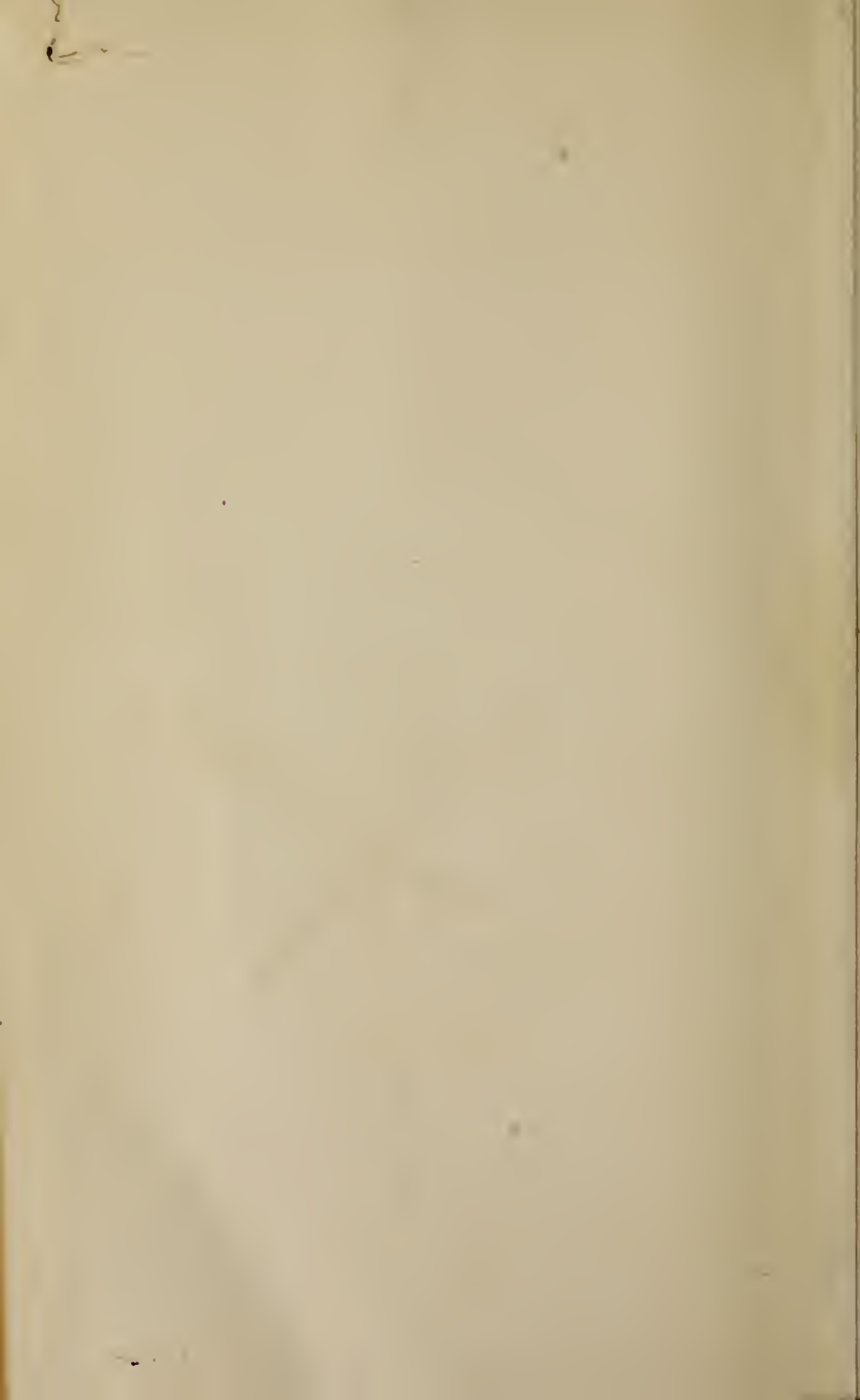
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THE
JOURNAL OF THE SENATE

DURING THE
TWENTY-FIFTH (EXTRA) SESSION

OF THE
LEGISLATURE OF THE STATE OF CALIFORNIA,
1884.

BEGAN ON MONDAY, MARCH TWENTY-FOURTH, AND ENDED ON TUESDAY, MAY
THIRTEENTH, EIGHTEEN HUNDRED AND EIGHTY-FOUR.



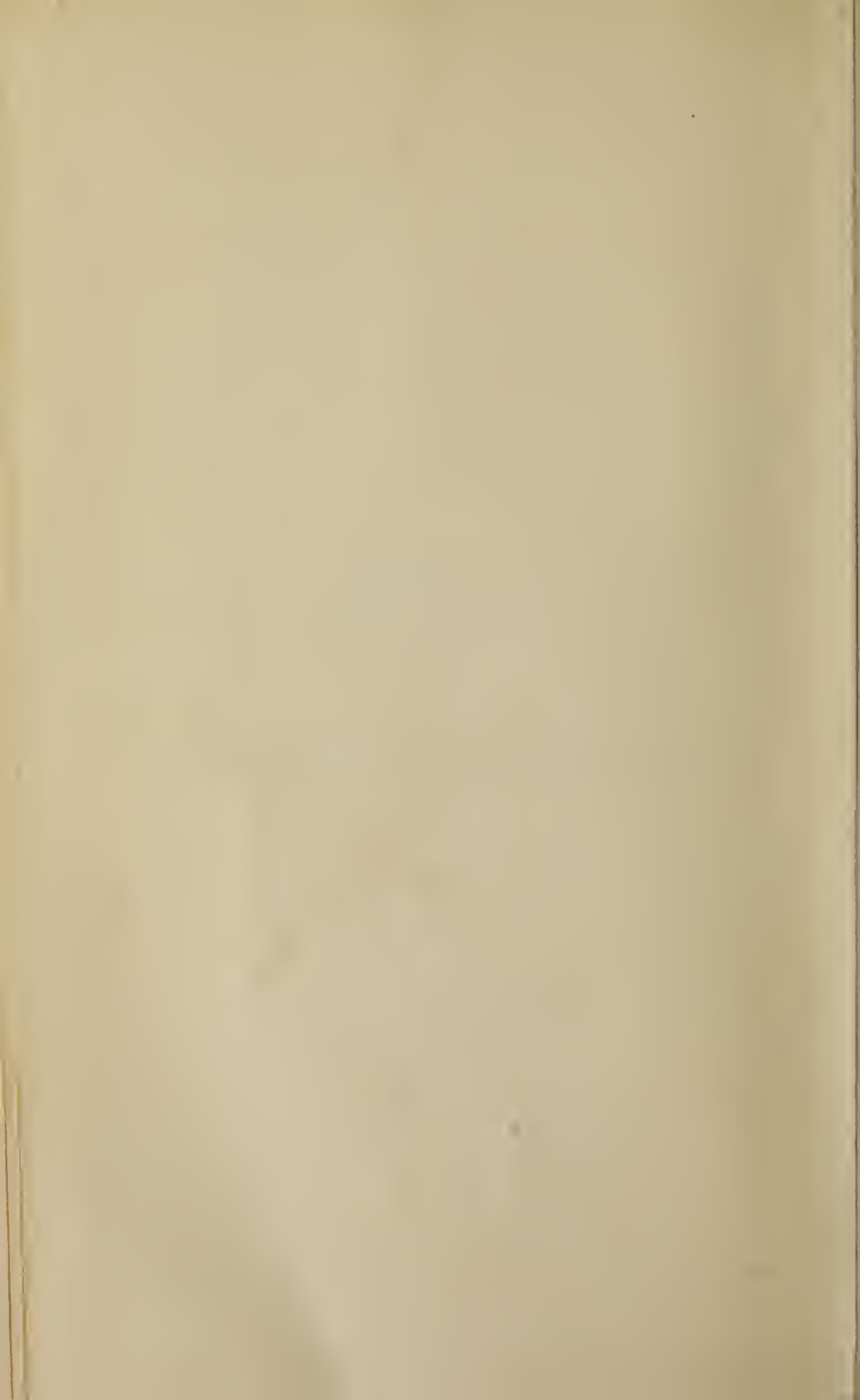
SACRAMENTO:
STATE OFFICE, JAMES J. AYERS, SUPT. STATE PRINTING.
1884.



JOURNAL

OF THE

PROCEEDINGS OF THE SENATE.



CALIFORNIA LEGISLATURE—SENATE.

TWENTY-FIFTH (EXTRA) SESSION.

IN SENATE.

SENATE CHAMBER,
Monday, March 24, 1884. }

The Senate met at twelve o'clock M.

President Daggett in the chair.

In pursuance of the proclamation of the Governor of the State of California, convening the Legislature of the State of California, President Daggett now called the Senate to order.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Fraser, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Whitney.

The President directed the Secretary to read the proclamation of the Governor convening the extra session of the Legislature.

Whereupon, the Secretary read the following proclamation:

PROCLAMATION.

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT, }
SACRAMENTO, March 5, 1884. }

To the Senate and Assembly of the State of California:

For four years the chief railroad companies of this State have refused to obey the laws imposing taxes upon their property.

Legal actions instituted against them to enforce collection, after having been under various pretexts delayed, have lately been terminated by proceedings through which it was practically established that, whilst nothing was legally collectible from these corporations, yet the State was willing to accept whatever they in their discretion saw fit to accord. The humiliating attitude in which the State of California is thus placed must fill the heart of every public-spirited citizen with regret and mortification; whilst the disturbance of our whole financial system, caused by the repeated and persistent delinquency of these companies, no wise man should willingly permit to continue. More stringent and effective measures for the collection of revenues from the railroads are imperatively demanded.

The present condition of affairs also demands a change with reference to the regulation of the business of transportation companies.

The system of electing Railroad Commissioners from districts has not given satisfaction. A wide-spread discontent exists, engendered by the delay in adjusting a tariff of fares and freights. If the results so long hoped for from a Railroad Commission are ever to be attained it must be through a revision of the Constitution and laws upon this subject.

Now therefore, an extraordinary occasion having arisen, I, George Stoneman, Governor of the State of California, by virtue of the power in me vested by the Constitution of the State, do hereby convene the Legislature to meet and assemble at the State Capitol on the twenty-

fourth day of March, A. D. 1884, at twelve o'clock m. of that day; and do hereby specify the following subjects upon which it is assembled to legislate:

First—To propose and submit to the people of the State of California an amendment to Section 4 and to Section 10 of Article 13 of the Constitution of the State.

Second—To propose and submit to the people of the State of California an amendment to Section 22 of Article 12 of the Constitution of the State.

Third—To propose and submit to the people of the State of California an amendment to the Constitution of the State by which the Railroad Commission as now existing shall be abolished, and in lieu thereof a Railroad Commission, to be composed of three Commissioners, shall be created, said Commissioners to be appointed in such manner as may be provided by law, from the time of the adoption of said amendment until the next general election; and then to be elected at said election from the State at large; and to prescribe the term of office, duties, authority, and powers of said Commission.

Fourth—To enact all laws necessary for the assessment to and collection from all railroad corporations or companies doing business in this State, of income taxes.

Fifth—To amend or repeal any or all existing laws relating to revenue, and to enact new laws relating to the same.

Sixth—To propose and submit to the people of the State of California an amendment to the Constitution of the State, to the end that all property belonging to railroad corporations may and shall be assessed by the State Board of Equalization in the same manner as property belonging to individuals is now assessed by local Assessors; and that mortgages and deeds of trust, contracts, or other obligations by which a debt is secured covering the property of railroad corporations shall, for the purposes of assessment and taxation, be deemed and treated as an interest in the property affected thereby.

Seventh—To enact laws providing that the property of railroad corporations or companies may and shall be sold for the payment of delinquent taxes in the same manner as the property of private persons is sold under the same circumstances.

Eighth—To enact laws providing that no writ for the prevention of the collection of any revenue or to hinder or delay the collection of the same, or to prevent or interfere with the sale of property for delinquent taxes, shall in anywise issue, either injunction, prohibition, or any other writ or process whatever; but that in all cases in which, for any reason, any person shall claim that any tax paid by him was illegally or wrongfully levied or collected, he may recover the same by action.

Ninth—To enact laws providing that whenever property is sold for delinquent taxes, a receiver may, upon application of the purchaser, whether said purchaser be a private person or the State, be appointed by any competent Court to take charge of the same from the day of the execution of the certificate of sale.

Tenth—To enact a law declaring that the people of the State of California have not authorized, and do not ratify, any compromise nor any judgment heretofore rendered by consent, in any action or proceeding for the collection of revenue, by which a less amount is or has been received or recovered than the sum due by law or claimed in the complaint in the action in which said judgment was rendered for the tax, interest, and penalty, and providing means for the setting aside said compromises and judgments; and to enact laws more clearly defining the powers and duties of the Attorney-General, District Attorneys, and Boards of Supervisors, with reference to the collection of delinquent taxes.

Eleventh—To propose and submit to the people of the State of California an amendment to the Constitution, fixing a maximum rate of charges for transportation of passengers and freight on all railroad lines in the State, and for that purpose to classify railroad lines according to length, gauge, or income.

Twelfth—To enact laws for the prevention of, and punishment for, discrimination, and for the reform of abuses in railroad transportation.

In witness whereof, I have hereunto set my hand, and caused the Great Seal of the State to be fixed at my office, in the City of Sacramento, this fifth day of March, A. D. 1884.

[SEAL.]

Attest: THOS. L. THOMPSON, Secretary of State.

GEORGE STONEMAN, Governor.

RESOLUTION.

Mr. Kellogg offered the following resolution:

Resolved, That we do now proceed to the organization of the Senate by the election of the following officers, to wit: President pro tem., one Secretary, two Assistant Secretaries, a Minute Clerk, an Assistant Minute Clerk, a Journal Clerk, an Enrolling Clerk, an Enrolling Clerk, a Sergeant-at-Arms, an Assistant Sergeant-at-Arms, and a Postmaster.

RECESS.

At twelve o'clock and fifteen minutes p. m., Mr. Del Valle moved that the Senate take a recess until three o'clock p. m.

Carried.

REASSEMBLED.

Senate reassembled at three o'clock P. M., the following Senators being present:

Messrs. Baldwin, Brooks, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

RESOLUTIONS.

Resolution introduced by Mr. Kellogg, prior to recess, adopted.

Mr. Kellogg moved to amend the resolution to include the name of Enrolling Clerk.

Adopted.

ELECTION OF OFFICERS.

Senator Johnson nominated R. F. Del Valle for President pro tem. The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—None.

R. F. Del Valle, having received a majority of all the votes cast, was duly declared elected President pro tem. of the Senate.

SECRETARY OF THE SENATE.

Mr. Cox nominated Edwin F. Smith.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—34.

NOES—None.

Mr. Smith, having received a majority of all the votes cast, was duly declared elected Secretary of the Senate.

ASSISTANT SECRETARIES.

Mr. Taylor nominated R. O. Cravens.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—None.

R. O. Cravens, having received a majority of all the votes cast, was duly declared elected Assistant Secretary of the Senate.

Mr. Sullivan nominated J. J. McCarthy for Assistant Secretary.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Reddy, Reynolds, Rontier, Ryan, Speneer of Napa, Speneer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—None.

J. J. McCarthy, having received a majority of all the votes cast, was duly declared elected Assistant Secretary of the Senate.

MINUTE CLERK.

Senator Knight nominated A. A. Taylor.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Speneer of Napa, Speneer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—None.

A. A. Taylor, having received a majority of all the votes cast, was duly declared elected Minute Clerk of the Senate.

ASSISTANT MINUTE CLERK.

Senator Harrigan nominated R. G. Falk.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Speneer of Napa, Speneer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—35.

NOES—None.

R. G. Falk, having received a majority of all the votes cast, was duly declared elected Assistant Minute Clerk of the Senate.

JOURNAL CLERK.

Mr. Langford nominated W. J. McGee.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Speneer of Napa, Speneer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—37.

NOES—None.

W. J. McGee, having received a majority of all the votes cast, was duly declared elected Journal Clerk of the Senate.

ENGROSSING CLERK.

Senator Keating placed in nomination George F. Tuttle.
The roll was called, with the following result :

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—37.

NOES—None.

George F. Tuttle, having received a majority of all the votes cast, was duly declared elected Engrossing Clerk of the Senate.

ENROLLING CLERK.

Senator Del Valle placed in nomination A. Norton.
The roll was called, with the following result :

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—37.

NOES—None.

A. Norton, having received a majority of all the votes cast, was declared elected Enrolling Clerk of the Senate.

SERGEANT-AT-ARMS.

Senator Baldwin placed in nomination I. G. Messee.
The roll was called, with the following result :

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—37.

NOES—None.

I. G. Messee, having received a majority of all the votes cast, was declared elected Sergeant-at-Arms of the Senate.

ASSISTANT SERGEANT-AT-ARMS.

Senator English placed in nomination J. B. Sydnor.
The roll was called, with the following result :

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Wallis, and Whitney—35.

NOES—None.

J. B. Sydnor, having received a majority of all the votes cast, was declared elected Assistant Sergeant-at-Arms of the Senate.

POSTMISTRESS.

Senator Keating placed in nomination Mrs. J. V. David.
The roll was called, with the following result :

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lyneh, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, and Whitney—35.

NOES—None.

Mrs. David, having received a majority of all the votes cast, was declared elected Postmistress of the Senate.

RESOLUTIONS.

Senator Del Valle offered the following resolution :

Resolved, That the Standing Rules of the Twenty-fifth Session be adopted until otherwise ordered by this Senate.

Senator Kellogg offered the following as an amendment :

Resolved, That the Standing Rules of the Senate of the Twenty-fifth Session of the Legislature of California, except rules fifteen and thirty-seven thereof, relating to the appointment and order of Standing Committees, and changing of rules, be and the same are hereby adopted as the rules of the Senate until otherwise changed.

Senator Langford offered the following as a substitute :

Resolved, That the rules of the last Senate be adopted, so far as they apply to a temporary organization of the Senate.

Substitute withdrawn.

The resolution, as amended, adopted.

Senator Fileher offered the following resolution :

Resolved, That the following named Senators be and are hereby appointed a Committee on Rules of the Senate, to serve during the present session of the Legislature, viz.: Del Valle, Langford, McClure, Spencer of Stanislaus, and English.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read :

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted the following resolution :

Resolved, That the Clerk be and he is hereby instructed to inform the Senate that the Assembly is in session pursuant to the proclamation of his Excellency the Governor, dated March 5, 1884, and ready for the transaction of legislative business.

M. C. HALEY, Chief Clerk.

RESOLUTION.

Mr. Cross offered the following as a substitute for Mr. Fileher's resolution :

Resolved, That the President of the Senate appoint a committee of five on Standing Rules of the Senate.

Senator Murphy moved to lay the whole matter on the table.

Roll-call demanded by Senators Perry, Wallis, and Cross, with the following result:

Ayes—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Del Valle, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, McCarthy, McClure, Murphy, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—22.

Noes—Messrs. Chandler, Cox, English, Filcher, Foster, Johnson, Kelley of Solano, Knight, Langford, Lynch, Maddox, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

Carried.

Senator Del Valle offered the following resolution:

Resolved, That the Secretary be instructed to announce to the Assembly that the Senate has organized by the election of the following officers:

President pro tem.....	R. F. Del Valle
Secretary.....	Edwin F. Smith
Assistant Secretary.....	R. O. Cravens
Assistant Secretary.....	J. J. McCarthy
Minute Clerk.....	A. A. Taylor
Assistant Minute Clerk.....	R. G. Falk
Journal Clerk.....	W. J. McGee
Engrossing Clerk.....	George F. Tuttle
Enrolling Clerk.....	A. Norton
Sergeant-at-Arms.....	I. G. Messee
Assistant Sergeant-at-Arms.....	J. B. Sydnor
Postmistress.....	Mrs. J. V. David

And that the Senate awaits the pleasure of the Assembly in legislative business.

Adopted.

Senator Kelley of Solano offered the following resolution:

Resolved, That the Journal Clerk be empowered to appoint an assistant, at the same per diem as the clerks at the desk receive.

Upon motion of Senator Murphy, the resolution was laid on the table.

Senator Del Valle offered the following resolution:

Resolved, That a committee of three be appointed by the President to wait upon the Governor and inform him that the Senate is now organized, and ready to receive any communication his Excellency has to make.

Adopted.

The President appointed as such committee, Senators Del Valle, McClure, and Johnson.

At four o'clock, Mr. Murphy moved that the Senate take a recess of ten minutes.

Carried.

REASSEMBLED.

The Senate reassembled at four o'clock and ten minutes P. M.

President Daggett in the chair.

The roll was called, and the following Senators responded to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, Whitney, and Wolfskill.

Quorum present.

The committee appointed to wait on the Governor appeared, and reported that the Private Secretary of the Governor was present with a communication from that official.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT—STATE OF CALIFORNIA,
SACRAMENTO, March 24, 1884. }

MR. PRESIDENT: In accordance to custom, I herewith transmit a special message to the Senate on the subjects specified in the proclamation convening the Legislature.

GEORGE STONEMAN, Governor.

MESSAGE.

STATE OF CALIFORNIA—EXECUTIVE DEPARTMENT, March 5, 1884.

To the Senate and Assembly of the State of California:

GENTLEMEN: The Constitution confers upon the Chief Executive of the State the power to convene the Legislature when, in his opinion, an extraordinary occasion shall have arisen demanding the attention and action of that body.

Certain railroad corporations, organized and doing business in this State, having for the past four years resisted the demands of the State for the collection of delinquent taxes, and certain suits instituted by the State and a portion of the counties therein against said corporations for the collection of delinquent taxes having been compromised, by consent judgments entered in the United States Circuit Court, whereby, if such judgments are binding and are allowed to stand, the State and counties have lost all penalties and interest due on said delinquent taxes, and the State being for the time, seemingly, powerless to assert her rights, I have deemed it prudent to ask your aid and assistance in passing such laws and proposing such amendments to the Constitution as will, it is hoped, effectually prevent the recurrence of a similar condition of affairs in the future. I have also asked your cooperation in devising such means, as in your judgment may seem proper, to assert the rights of the State in reference to the further prosecution of these delinquent tax cases, and to provide means for opening and setting aside all compromises, consent judgments, and agreements wherever and by whomsoever made, in which the State has lost, or is about to lose, any portion of the tax, penalty, or interest due by law.

As no little dissatisfaction exists in reference to the comparative inaction of the Board of Railroad Commissioners in performing the duties of that office, I have thought proper to request your honorable body to provide for a new Board, and to propose and submit to the people an amendment to the Constitution of the State, to the end that said Railroad Commissioners may hereafter be elected from the State at large; and that you also propose and submit an amendment to the Constitution fixing the maximum rates to be charged for the transportation of passengers and freight on all railroad lines in the State.

The subjects submitted for your consideration are so explicitly stated, and the history of the struggle of the State for the collection of revenue from the corporations referred to is so well known to each member of your honorable body, that it seems hardly necessary to give in detail the reasons why legislation should be had upon the subjects embraced in the proclamation.

It seems entirely proper and necessary that the mode of electing the members of the Railroad Commission should be changed. If the members of that Commission were elected from the State at large, the electors would not be confined, as now, to a certain district from which to choose one Commissioner, to another district from which to choose the second member, and to another from which to choose the third, but could, under the system proposed, select from any portion of the State, those citizens who are best qualified, by reason of ability and integrity, to discharge the important duties of that office. By this plan all the electors of the State would have a voice in choosing each Commissioner. Neither could interested parties so easily concentrate and succeed in electing or defeating any particular candidate. I have, therefore, requested you to propose and submit to the people an amendment to the Constitution providing for the election of this Board from the State at large; and, in the meantime, if such amendment should be submitted and ratified before the next general election, that you provide a method for appointing three Commissioners until said election.

While it is the opinion of this office that the present method of assessing railroad property is fair and lawful, and is not repugnant to the Constitution of the United States, and that it will be so held by the Supreme Court of the United States, before which that question is now pending, yet I have thought proper to direct your attention to the advisability of providing that the property of railroad companies and corporations, and all debts due to and by them, shall be assessed by the State Board of Equalization as the property of individuals is now assessed by local Assessors. It would be well for you to investigate and consider this question thoroughly before making a change in the Constitution and laws upon this subject. If, after mature consideration, you consider it advisable that the method of assessing railroad property should be changed, you have ample power under the proclamation to do so. It is the opinion of this office that more revenue would be paid to the State, under the system pointed out, than

was derived, or hoped to be derived, under the present law. As the principal ground of complaint of the railroad companies, in resisting the revenue laws, is that their property has not been assessed as the property of other taxpayers, I apprehend you will experience no opposition from that source to such proposed laws and amendments to the Constitution.

I would also call your attention to the fact that under the Constitution of the State, as well as by the decisions of the Supreme Court of the United States, you have ample power to provide by law for the assessment and collection of income taxes from railroad companies and corporations. This subject has been inserted in the proclamation convening your honorable body for such action as you may think proper to take. It would no doubt be advisable for you to impose an income tax on the gross receipts of these corporations, in addition to the tax on their property, until the amount realized therefrom at least equals the amount of the tax, penalty, interest, and costs, which the State and counties have lost, or are liable to lose, by reason of the non-payment of the tax levied against them under existing laws. Under a recent decision of the United States Supreme Court (15 Wallace, page 284, et seq.), ample authority is given for the assessment and collection of such tax on the gross receipts of such corporations; and it is immaterial whether the receipts of such corporations are entirely earned from business done in this State, or whether a portion of the receipts are derived from business done in other States and Territories. I invite your attention in this connection to the law of Pennsylvania upon which the above decision was rendered.

You are aware that during the past four years certain railroad corporations, delinquent taxpayers on the one hand, and Boards of Supervisors, District Attorneys, and the Attorney-General on the other, have, in many cases, compromised, or attempted to compromise, the taxes due the State and certain counties, by consenting and agreeing that plaintiff might take judgment for a less amount than the sum due by law, or claimed in the complaints in the actions against the defendants. If these compromises are good in law, or the officers acting for and on behalf of the State have or had authority to bind the State by such compromises, then the penalty and interest due from these delinquent taxpayers, as well as in some instances a portion of the face of the taxes, has been lost. The position of this office is, that after property has been assessed and equalized—after the forms of law relating to the assessment and equalization of taxable property have been complied with—no officer or person has any power or authority to compromise or remit any portion of the tax, penalty, or interest which the law declares to be due; or to consent to any compromise or judgment whereby the State and counties shall receive for their taxes an amount less than the tax, penalty, interest, and costs. To hold otherwise would not only lead to a derangement of our whole financial system, but if carried to its full extent, would eventually result in the destruction of the Government. Such proceedings being without authority of law, the compromises and judgments by which the sums were so lost to the State can and ought to be set aside, and the full amount recovered. I therefore recommend that you provide by law for the employment of special counsel for the purposes above mentioned, and that you further provide for the payment of the costs and expenses thereof. That the question of the power of any officer or Board to compromise or remit any tax, penalty, or interest, or portion thereof, to any taxpayer, may be definitely settled, I would most respectfully suggest that you enact such legislation, with adequate penalties, as will effectually prevent such action, or attempted action, by any officer or person in the future.

That the property belonging to railroad corporations or companies should be sold for the payment of delinquent taxes, as the property of individuals is now sold under like circumstances, seems to be a proposition so just as to need no argument. You are, also, asked to provide that when the purchaser of property sold for the payment of delinquent taxes, receives his certificate of purchase, he may be put into the possession of said property through the medium of a receiver appointed by a competent Court. It seems but just that the purchaser of property sold for delinquent taxes, whether the purchaser be the State or a private person, should be protected and assisted in his right to obtain possession of the property so purchased.

The State, when endeavoring to subject property offered for sale to the payment of delinquent taxes, has heretofore experienced so many harassing delays from litigants, by means of injunctions and other writs restraining Tax Collectors from selling such property and collecting taxes, that you are asked to devise and enact a law prohibiting the issuance of any writ or process against any officer to prevent, hinder, or delay the collection of any tax or the sale of property for the payment of delinquent taxes. If the party assessed is of the opinion that the tax has been wrongfully or illegally levied or assessed, he may, after payment of the tax and giving notice of his intention so to do, at the time of such payment, have the right to commence an action, within thirty or sixty days, against the person to whom such tax was paid, to determine whether such tax was illegally or wrongfully levied or assessed. I understand this is the method adopted in many of the States. A suit at law to recover the money unlawfully paid is as speedy, as easily tried, and less complicated than any other method. Under such a law the person to whom the property is assessed, instead of the State, will be compelled to be the moving party. The Supreme Court of the United States, in the case entitled *Tennessee vs. Sneed* (96 U. S. Reports, page 69), in which the above principle is involved, says:

"It requires the contestant to pay the amount as fixed by the Government, and gives him power to sue the collector, and in such suit to test the legality of the tax. There is nothing illegal or even harsh in this. It is a wise and reasonable precaution for the security of the Government. No Government could exist that permitted the collection of its revenues to be delayed by every litigious man, or every embarrassed man, to whom delay was more important than the payment of costs."

If the collection of the taxes due the State is liable to be arrested and almost indefinitely postponed by every recalcitrant taxpayer who does not agree with the law in regard to the method of assessment or the amount of the tax, how can we calculate with any certainty that any moneys will be paid into the treasury for the support of the Government; and how can we be assured that, under such circumstances, the Government itself would long exist?

I also invite your attention to the twelfth subdivision of the proclamation, convening your honorable body, viz.: To enact laws for the prevention of, and punishment for, discrimination, and for the reform of abuses in railroad transportation. As corporations were created by all the people, in their collective and legislative capacity, it follows that the same power in the same capacity, has the right to say that the agency so delegated shall be used without discrimination, and with absolute fairness to all. As under our form of Government, each person is entitled to the equal protection of the law, so, also, is he entitled to protection from the unfair or unlawful exercise of power by any instrument which the law creates. As corporations are the creatures of the State, it is the imperative duty of the State to see that all its citizens enjoy the advantages flowing from corporations in absolute equality. The natural person, he who is a *part* of the Government, ought at least to have rights equal to the artificial person, which is but a *creature* of the Government. Railroad corporations should not be permitted, either by "special contracts," or any other form of discrimination, to charge one person a certain rate for the transportation of freight, and another person for the same distance on the same class of freight another and different rate. They should not be permitted, by discrimination, to make one man rich, and another man poor; neither should they, by like means, be permitted to build up and enrich one community, and impoverish and destroy another.

But it is claimed that railroad corporations have materially assisted in the development of the State, and for that reason we should not interfere with them by legal enactments. Concede all that is claimed for them, it does not follow that they should be allowed to exercise unrestrained power and oppress our people. History proves that unrestrained power is only limited and controlled by the opportunities for its exercise. If the development of the State and the accumulation of private fortunes shall go hand in hand with disobedience of authority and resistance to law, it would be far better that private fortunes were smaller and the development of the State less rapid. The more rapid the growth and development of the State the sooner shall we arrive at the culminating point of our greatness, and the sooner shall we have prematurely thrust upon us the want and misery of older countries. It would be better for our form of government that every corporation should be abolished, that no corporate rights should hereafter exist, than that our laws should be set at defiance, and the morals of our people corrupted. It is within your power to prevent discrimination and prohibit the so called "special contracts." It makes no difference, either in law or good morals, whether such contracts, or agreements to discriminate, were made and entered into in this State, or out of it; the fact remains that every rod of railroad over which freight is hauled in this State, under such contracts, is a discrimination against a portion of the people of the State, and would be in violation of laws to prevent discrimination if such laws were on the statute books.

The endeavor has been to so arrange the subjects to be legislated upon, that your minds may not be diverted to unimportant and irrelevant matters, and that your session may be brought to a brief and successful issue. It is to be hoped that you may be guided by wisdom and patriotism in your deliberations, and that all the interests to be legislated upon may be brought into complete harmony with the will of the people. If, by your action, fares and freights upon transportation lines can be reduced and regulated, discrimination prevented, and the taxation of railroad property definitely settled to the satisfaction of the people and all parties concerned, these hitherto harassing questions will disappear from the politics of the State, the attention of the people will be turned to other matters more particularly affecting their immediate interests, and our State will enter upon a career of unexampled prosperity.

GEORGE STONEMAN, Governor.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, appointed a committee of three, viz.: Messrs. Cutter, Irwin, and Booth, to, in conjunction with a similar committee from the Senate, wait upon his Excellency the Governor, informing him that the two Houses are ready for the transaction of business.

M. C. HALEY, Chief Clerk.

OATH OF OFFICE.

The officers elect now appeared and subscribed to the oath of office, administered by the President, as follows:

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been elected to the best of my ability, so help me God.

ADJOURNMENT.

At four o'clock and thirty-five minutes P. M., on motion of Senator Murphy, the Senate adjourned until two o'clock P. M., Tuesday, March 25, 1884.

IN SENATE.

SENATE CHAMBER,
Tuesday, March 25, 1884. }

Senate met at two o'clock P. M.

President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

Mr. McClure was given permission to have his name recorded as voting aye on the election of A. Norton, as Enrolling Clerk.

INTRODUCTION OF BILLS.

The following bill was introduced, read by title, and temporarily placed on file:

By Mr. Whitney: Senate Bill No. 1—An Act to amend sections three thousand six hundred and forty-four and three thousand six hundred and forty-five of the Political Code, relating to the taxation of ships and vessels.

RESOLUTIONS.

Mr. Ryan offered the following resolution:

Resolved, That all bills relating to corporations, or such bills as would be referred to the Committee on Corporations, be referred to and considered in Committee of the Whole Senate, thereby dispensing with the Committee on Corporations during this extra session.

Temporarily withdrawn.

Mr. Kellogg offered the following:

Resolved, That the following Standing Committees be appointed for the present session, and that the Senators named as members of the respective committees during the last regular session, shall constitute such committees, viz.:

1. Committee on Contingent Expenses, Mileage, and Attachés.
2. Committee on Judiciary.
3. Committee on Enrolled Bills.
4. Committee on Engrossed Bills.
5. Committee on Printing.
6. Committee on Rules.

On motion of Mr. Murphy, the resolution was laid on the table.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was read :

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly duly elected the following officers:

E. E. Leake.....	Chief Clerk
George B. Crandall	Minute Clerk
E. F. Conway.....	Assistant Minute Clerk

JULIUS REIMER, Assistant Clerk.

RESOLUTIONS.

Mr. Ryan moved the adoption of the resolution introduced by him.

Roll-call demanded by Messrs. Kellogg, Ryan, and Kelly of San Francisco.

Resolution withdrawn by Mr. Ryan.

On motion of Mr. Del Valle, the resolution introduced yesterday by Mr. Filcher, and the substitute therefor introduced by Mr. Cross, was taken from the table.

Mr. Del Valle moved the adoption of the substitute offered by Mr. Cross, as follows:

Resolved, That the President of the Senate appoint a committee of five on Standing Rules of the Senate.

Adopted.

Mr. Sullivan offered the following resolution:

Resolved, That Miss J. Nerod and Mrs. Kate Troy be and they are hereby appointed Assistant Journal Clerks for the session.

Referred to Committee on Contingent Expenses.

Mr. Kelley of Solano moved to take from the table the resolution offered by him yesterday.

Carried.

Mr. Baldwin moved to refer to Committee on Contingent Expenses.

Ayes and noes demanded by Messrs. McCarthy, Kelley of Solano, and Sullivan, with the following result:

AYES—Messrs. Baldwin, Chandler, Cox, Cronan, Cross, Del Valle, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, and Whitney—19.

NOES—Messrs. Brooks, Buck, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Sullivan, Taylor, Vrooman, and Wallis—18.

So ordered.

Mr. Keating offered the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby allowed to appoint a clerk, at the same per diem as at the last session, to date from the commencement of the session.

Adopted.

Mr. Cross offered the following resolution:

Resolved, That the Secretary of State be requested to furnish to each Senator, for use during this session, one copy of the Constitution of California and one copy of the Political Code.

Adopted.

Mr. Del Valle offered the following resolution:

Resolved, That a committee of five be appointed to ascertain and report upon mileage due Senators and attachés.

Adopted.

Mr. Kellogg offered the following resolution:

Resolved, That A. T. Vogelsang be allowed one day's per diem and mileage, for services rendered in the organization of the Senate, in the capacity of Assistant Secretary; and that the Controller be instructed to draw his warrant for the proper amount on the Contingent Fund of the Senate.

Mr. Filcher moved to refer to Committee on Contingent Expenses.

Roll-call demanded by Messrs. Filcher, Reynolds, and Fraser.

Roll called, with the following result:

AYES—Messrs. Cox, Filcher, Kelley of Solano, Reddy, Reynolds, Ryan, and Spencer of Stanislaus—7.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Nelson, Perry, Routier, Spencer of Napa, Sullivan, Taylor, Vrooman, Wallis, and Whitney—30.

Lost.

The question recurring on the resolution, the same was adopted.

Mr. Cross offered the following resolution:

Resolved, That the Secretary of State be requested to furnish to the President of the Senate, Secretary of the Senate, Journal Clerk, and Minute Clerk, and each duly accredited newspaper reporter of the Senate, one copy of the Political Code, and of the Constitution of California, for use during the session of this Senate.

Mr. Murphy moved to refer to Committee on Contingent Expenses.

Lost.

Original resolution adopted.

RECESS.

At two o'clock and fifty minutes P. M., on motion of Mr. Taylor, the Senate took a recess of half an hour.

REASSEMBLED.

At three o'clock and twenty minutes P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

RESOLUTIONS.

Mr. Cox offered the following resolution :

Resolved, That the President of the Senate be and is hereby empowered to appoint two Pages for the Senate, in addition to the three provided by statute, one for the Desk and one for the Sergeant-at-Arms of the Senate.

Adopted.

Also, the following :

Resolved, That the President be empowered to appoint one Day Watchman, one Night Watchman, and one Rear Porter, and one Porter for rooms of Journal Clerk and Lieutenant-Governor.

Adopted.

Mr. Keating offered the following :

Resolved, That each Senator be allowed the sum of twenty-five dollars for contingent expenses, payable out of the Contingent Fund of the Senate.

Mr. Murphy moved to refer the resolution to the Committee on Contingent Expenses and Mileage.

Lost.

Mr. Spencer of Napa moved to amend by inserting "ten dollars," in lieu of "twenty-five dollars."

Roll-call demanded on the amendment, by Messrs. Maddox, English, and Harrigan.

Roll called, with the following result :

AYES—Messrs. Baldwin, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Langford, Lynch, Maddox, Perry, Reddy, Reynolds, Ryan, Spence of Napa, Spencer of Stanislaus, and Sullivan—23.

NOES—Messrs. Brooks, Fraser, Keating, Kelley of Solano, Knight, McCarthy, McClure, Nelson, Routier, Taylor, Vrooman, Wallis, and Whitney—13.

Adopted.

The question recurring on the adoption of the resolution as amended, roll-call was demanded by Messrs. Taylor, Maddox, and English.

Roll called, with the following result :

AYES—Messrs. Baldwin, Brooks, Buek, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Perry, Reddy, Reynolds, Routier, Ryan, Spence of Napa, Spence of Stanislaus, and Sullivan—28.

NOES—Messrs. Fraser, Keating, Kelley of Solano, McCarthy, McClure, Nelson, Taylor, Vrooman, Wallis, and Whitney—10.

Adopted.

Mr. English offered the following resolution :

Resolved, That the Sergeant-at-Arms be empowered to appoint Nathaniel Jones and W. P. Jordan as Gatekeepers, one for each side of the Senate Chamber, at a per diem to be fixed hereafter by the Senate.

Moved to refer to Committee on Contingent Expenses and Mileage.

Roll-call demanded by Messrs. Taylor, Maddox, and English.

Roll called, with the following result :

AYES—Messrs. Cross, Dougherty, Kelley of Solano, McCarthy, McClure, Nelson, Vrooman, and Whitney—8.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Del Valle, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wallis—29.

Lost.

The question recurring on the adoption of the resolution, the same was adopted.

Mr. Baldwin introduced the following resolution :

Resolved, That the Sergeant-at-Arms be directed to rent a Post Office box for the use of the Senate during the present session.

Adopted.

Mr. Kelley of Solano introduced the following resolution :

Resolved, That Jennie Nerod be appointed Assistant Journal Clerk.

Adopted.

COMMITTEES.

The President announced the following committees :

On Rules—Messrs. Langford, Chairman ; Cross, McClure, Nelson, and Del Valle.

On Contingent Expenses and Milage—Messrs. Maddox, Chairman ; Del Valle, Reynolds, Keating, Wallis, and Spencer of Stanislaus.

Mr. Reddy moved that Messrs. Baldwin and Sullivan be added to the Committee on Rules.

Mr. Kellogg moved to amend by adding the names of Messrs. Brooks and Buck.

Amendment lost.

The question recurring on the adoption of the motion of Mr. Reddy, the ayes and noes were demanded. Messrs. Kellogg, McCarthy, and Fileher.

Roll called, with the following result :

AYES—Messrs. Brooks, Buck, Cox, Cronan, Cross, Del Valle, English, Fileher, Foster, Fraser, Johnson, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, Murphy, Nelson, Reddy, Reynolds, Spencer of Napa, and Spencer of Stanislaus—21.

NOES—Messrs. Chandler, Dougherty, Harrigan, Keating, Kelley of Solano, Kellogg, McCarthy, McClure, Perry, Ryan, Taylor, Vrooman, Wallis, and Whitney—14.

Adopted.

APPOINTMENTS.

The President announced the following appointments :

Pages—J. Longshore, J. W. Coffroth, Jr., Jas. Cronan, J. W. Toomey, and J. Goldstein.

Gallery Watchman—Hank Jones.

Floor Porters—J. D. Farrell and Jas. Touhey.

Sergeant-at-Arms' Porter—Lem. Wilson.

Rear Porter—W. D. McGuire.

Day Watchman—James Castillo.

Night Watchman—Dan. Coughlin.

Lieutenant-Governor and Journal Clerk's Rooms—D. J. Cullen.

ADJOURNMENT.

At three o'clock and fifty minutes P. M., on motion of Mr. Murphy, the Senate adjourned until two o'clock P. M., Wednesday, March 26, 1884.

IN SENATE.

SENATE CHAMBER,
Wednesday, March 26, 1884. }

The Senate met at two o'clock P. M.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigau, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Journal of yesterday read and corrected by the addition of the name of Mr. Del Valle as voting aye on the motion to add the names of Messrs. Baldwin and Sullivan to the Committee on Rules.

REPORTS OF STANDING COMMITTEES.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 26, 1884.

MR. PRESIDENT: Your Committee on Rules beg leave to submit the following as the Standing Rules of the Senate of California, for the twenty-fifth (extra) session:

STANDING RULES OF THE SENATE.

I.—OPENING OF THE DAILY SESSIONS.

The time of meeting of the Senate shall be ten o'clock A. M. (Sundays excepted), and in case any other is named, it shall be applicable only to one day, and shall not affect this rule beyond the day named for a different hour of meeting, and a recess shall be taken from twelve o'clock and thirty minutes to two P. M. *Provided*, That on Mondays the time of meeting shall be one o'clock and thirty minutes P. M.

II.—CALLING TO ORDER—READING JOURNAL.

The President shall call the Senate to order at the stated hour, and, if a quorum be present, he shall order read the Journal of the proceedings of the preceding day.

III.—ELECTION OF PRESIDENT PRO TEM.—HIS POWERS AND PRIVILEGES.

The President pro tem. shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tem. shall vote only as any other member of the Senate. When the Senate is equally divided, the Secretary shall take the decision of the President.

IV.—ATTENDANCE, DUTIES, AND OBLIGATIONS OF SENATORS.

No Senator shall absent himself from the service of the Senate without leave first obtained. A less number than a quorum of the Senate are hereby authorized to send the Sergeant-at-Arms, or any other person, for any or all absent Senators, as the majority of such Senators present shall agree, at the expense of such absent Senators respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient, and in that case the expense shall be paid out of the Contingent Fund; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or acting President of the Senate, or of less than a quorum thereof, shall have the power to issue process, directed to the Sergeant-at-Arms, or any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process, unless sick and unable to attend, shall be deemed guilty of a contempt of the Senate, and the Sergeant-at-Arms, or any other person to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county or of any county in the State.

V.—ORDER OF BUSINESS.

After the reading and approval of the Journal, the order of business shall be as follows:

1. Presentation of petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Messages from the Assembly.
6. Introduction of Bills.
7. Third Reading of Bills.
8. Second Reading of Bills.
9. Motions, Resolutions, and Notices.
10. Business on the General File, and First Reading of Bills.
11. Unfinished Business of the preceding day.
12. Special Orders of the day.
13. Reports from the Committees on Enrollment and on Engrossing shall at all times be in order.

Provided, That the messages from the Governor, State officers, and from the Assembly, may, on motion of any Senator, be considered at any time. But no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration; and this order shall take precedence of all others.

VI.—INTRODUCTION AND READING OF BILLS.

Any Senator desiring to introduce a bill shall rise in his place and address the President, and upon being recognized shall present the same, and the title shall be announced from the Secretary's desk, when it shall be referred to a standing committee, and be printed, and a copy be placed on each member's desk. Every bill shall be read on three several days previous to its passage, unless, in case of urgency, two thirds of the Senate shall by vote of ayes and noes dispense with this provision, and the last reading shall be at length. The President shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the Senate has so determined by a vote.

VII.—SECRETARY TO POST GENERAL FILE DAILY.

The Secretary shall post each morning, in a conspicuous place, and place upon the desk of each Senator, a list of all bills upon the General File, giving their order, and also setting forth their number, and so much of their title as necessary to enable the Senators to understand their general purport.

VIII.—BILLS ENGROSSED TO BE EXAMINED AND REPORTED.

All bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossed Bills, the engrossed copy to be transmitted to the Assembly, with the proper indorsements, and the original retained by the Senate.

IX.—ENGROSSED BILLS HAVE PRECEDENCE.

All bills, after the second reading (if the same be not committed, then upon being reported), shall be placed upon a General File, and shall be taken up for consideration and passage in the order of their being placed on the file; *provided*, that engrossed bills shall take precedence of bills not engrossed.

X.—AMENDMENTS AND SUBSTITUTES.

Substitutes may be offered at any time when a bill or resolution is open to amendment, previous to engrossment, and when adopted shall take the place of the original bill or resolution, and shall be open to amendment.

No amendment or substitute, by committee or otherwise, shall be in order on the first reading of the bill.

XI.—AMENDMENTS AND SUBSTITUTES MUST BE GERMANE.

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or substitute.

XII.—LEAST SUM AND SHORTEST TIME IN FILLING BLANKS.

In filling up blanks, the least sum or number and the shortest time shall be put first.

XIII.—SHORT OF FINAL QUESTION, TWO THIRDS VOTE NOT REQUISITE ON PROPOSITIONS TO AMEND CONSTITUTION.

When an amendment to the Constitution, or any bill, requiring the concurrence of two thirds of the Senators, is under consideration, the concurrence of two thirds shall not be required to decide any question for amendment, or extending to the merits, being short of the final question.

XIV.—STANDING COMMITTEES.

The following Standing Committees shall be appointed :

1. Committee on Contingent Expenses and Mileage, to consist of five (5) members.
2. Committee on Engrossed Bills, to consist of six (6) members.
3. Committee on Enrolled Bills, to consist of six (6) members.
4. Committee on Judiciary, to consist of sixteen (16) members.
5. Committee on Public Printing, to consist of three (3) members.
6. Committee on Revenue and Taxation, to consist of seven (7) members.
7. Committee on Federal Relations, to consist of five (5) members.
8. Committee on Constitutional Amendments, to consist of nine (9) members.

XV.—COMMITTEES APPOINTED BY PRESIDENT, UNLESS OTHERWISE ORDERED.

All committees of the Senate, Special and Standing, and all Joint Committees on the part thereof, shall be appointed by the President, unless otherwise specially ordered.

XVI.—COMMITTEE TO OBTAIN CONSENT OF SENATE FOR OFFICERS.

No committee, Standing or Special, shall elect a Clerk or Sergeant-at-Arms without first obtaining the consent of the Senate.

XVII.—ORDER OF QUESTIONS ON MOTION TO REFER.

When a resolution shall be offered or a motion made to refer any subject, and a different committee shall be proposed, the question shall be taken in the following order :

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

XVIII.—CLAIMS ON CONTINGENT FUND MUST GO TO THE COMMITTEE ON CONTINGENT EXPENSES.

No claim shall be paid out of the Contingent Fund of the Senate until the same shall have been referred to and reported on by the Committee on Contingent Expenses. This rule has no application to the election of attachés of the Senate.

XIX.—ORDER OF PRIVILEGED QUESTIONS UNDER DEBATE.

When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order :

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

XX.—MOTION NOT TO BE DEBATED UNTIL SECONDED AND ANNOUNCED.

No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing, if desired by the President or any Senator, and read by the Secretary, before the same shall be debated. A motion may be withdrawn at any time before amendment.

XXI.—READING OF A PAPER, IF OBJECTED TO, DETERMINED WITHOUT DEBATE.

When the reading of a paper is called for (except petitions), and the same is objected to by any Senator, it shall be determined by a vote of the Senate without debate. But this rule is not applicable to any bill, resolution, amendment, or other proposition which may be at the time directly under consideration.

XXII.—SENATORS MUST ADDRESS THE PRESIDENT.

Every Senator, when he speaks, shall, standing in his place, address the President, and when he has finished he shall sit down. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of another who has not spoken.

XXIII.—THE SENATOR ENTITLED TO THE FLOOR.

When two or more Senators rise at once, the President shall name the Senator who shall speak first.

XXIV.—SENATOR, WHEN CALLED TO ORDER, MUST SIT DOWN.

When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the exceptional language shall immediately be taken down in writing.

XXV.—FINAL QUESTION ON SECOND READING OF BILLS—NO AMENDMENT TO THIRD READING, BUT MAY COMMIT.

The final question on the second reading of every bill originating in the Senate, and requiring three readings previous to being passed, shall be: "Shall the bill be engrossed and read a third time?" And no amendment shall be received for discussion at the third reading of any bill, but it shall at all times be in order, before the final passage of such bill, to move its commitment under special instructions.

XXVI.—FORM OF PREVIOUS QUESTION—CALL OF SENATE.

The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the Senators present upon division, and its effect shall be to put an end to all debate, and bring the Senate to a direct vote upon amendments reported by a committee, if any, upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the Senate shall be in order; but after a majority of Senators shall have seconded such motion, no call shall be in order prior to the decision of the main question. If the previous question is negative, the Senate shall proceed in the same manner as if the motion had not been made.

XXVII.—UNDER ACTION UPON PREVIOUS QUESTION, NO DEBATE.

On motion for the previous question, and under the previous question, there shall be no debate. And all incidental questions of order, arising after a motion is made for the previous question (or while acting under the previous question), shall be decided, whether on appeal or otherwise, without debate.

XXVIII.—AYES AND NOES—MEMBERS MUST ANSWER—NO VOTE AFTER ANNOUNCEMENT OF VOTE.

When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put, shall declare openly, and without debate, his assent or dissent to the question. In taking the ayes and noes, and upon the call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance to this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.

XXIX.—SENATOR OUTSIDE THE BAR NOT ENTITLED TO VOTE.

Whenever any Senator is absent without the bar of the Senate when his name is called on the call of the ayes and noes on any vote about to be taken, his vote shall not be received unless unanimously agreed to by the Senators present; nor shall a Senator be counted on a division of a vote, who is absent without the bar of the Senate without leave.

XXX.—NOTICE OF RECONSIDERATION.

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken by a Senator voting with the majority; and it shall not be in order for any Senator to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session.

XXXI.—SECRETARY, UPON NOTICE OF RECONSIDERATION, NOT TO REPORT BILL TO ASSEMBLY.

If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not report the bill or resolution to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired.

XXXII.—TITLES OF BILLS MUST BE IN JOURNAL.

The titles of bills, and such parts thereof only as shall be affected by proposed amendments, shall be inserted in the Journal.

XXXIII.—WHEN NOT IN COMMITTEE OF THE WHOLE, PROCEEDINGS MUST BE ENTERED IN JOURNAL—
VOTES ALWAYS ENTERED.

The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered on the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings; but every vote of the Senate shall be entered on the Journal, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall also be inserted in the Journal.

XXXIV.—RULES IN SENATE AND COMMITTEE OF THE WHOLE.

The rules of the Senate shall be observed in Committee of the Whole, so far as may be applicable, except limiting the number of times of speaking, and except that the ayes and noes shall not be taken.

XXXV.—CASES NOT PROVIDED FOR, CUSHING TO GOVERN.

In all cases not provided for by these rules, the Senate shall be governed by the law and practice as laid down in Cushing's Law and Practice of Legislative Assemblies.

XXXVI.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed without a vote of a majority of all the Senators elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of a majority of all the Senators elected, except that portion of Rule VI relating to the final passage of bills. All proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

XXXVII.—POWERS AND PREROGATIVES OF PRESIDENT.

The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the Journals, papers, and bills of the Senate; he shall see that all officers of the Senate perform their respective duties.

XXXVIII.—PRESIDENT MAY ORDER LOBBIES CLEARED.

In case of a disturbance, or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

XXXIX.—PRESIDENT MAY CALL SENATORS TO THE CHAIR.

The President shall have the right to name any Senator to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

XL.—SERGEANT-AT-ARMS.

A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the President. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and for traveling expenses for himself and special messenger, going and returning, shall be paid out of the Contingent Fund, and no other fees shall be paid him beyond his per diem. It shall be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators, to prepare checks, and, if required so to do, draw the money on such checks for the Senators (the same being previously signed by the President, and indorsed by the Senator or person to whom the check is made), and pay over the same to the Senator or person entitled thereto.

XLI.—MESSENGERS—WHEN INTRODUCED.

Messengers are introduced in any state of business, except while a question is being put, while the ayes and noes are being called, or while the ballots are being counted.

XLII.—DOORKEEPER.

It shall be the duty of the Doorkeeper to prohibit all persons except Senators, members of the Assembly, State officers, officers of the two Houses, and such reporters as have seats assigned them by the President, from coming within the bar of the Senate, unless invited by the President or a Senator, and to arrest for contempt all persons outside the bar, or in the gallery, found engaged in loud conversation, or otherwise making a noise, to the disturbance of the Senate.

XLIII.—EXECUTIVE NOMINATIONS.

When nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be, unless the Senate shall by a majority vote otherwise direct, acted upon at once.

XLIV.—PRINTING.

Three hundred and sixty copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity, before payment shall be made or bills audited therefor. Two copies of each bill or paper printed by order of the Senate shall be delivered to each Senator, and six copies to the committee to whom such bill is referred, and the balance shall be distributed according to law.

XLV.—NUMBER OF COPIES TO BE PRINTED.

Three hundred and sixty copies shall be printed of each document or other matter ordered, unless the Senate specially direct a different number.

XLVI.—SECRET SESSION.

On a motion, made and seconded, to close the doors of the Senate on the discussion of any business which may, in the opinion of the Senate, require secrecy, the President shall require all persons, except the Senators, Secretaries, Sergeant-at-Arms, and Doorkeeper of the Senate to withdraw, and during the discussion of said motion the doors shall remain closed; and every member and officer of the Senate shall keep secret all such matters, proceedings, and things, whereof secrecy shall be enjoined by order of the Senate.

XLVII.—ORDER OF ENGROSSING AND ENROLLING BILLS.

All bills ordered engrossed shall be delivered to the Engrossing Clerk by the Secretary of the Senate, and the receipt, in writing, of the Engrossing Clerk taken therefor; and all said bills shall be engrossed in the order of their receipt, by said Engrossing Clerk; and all Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered to the Enrolling Clerk by the Secretary of the Senate in the order of their receipt from the Assembly, and the receipt, in writing, of said Enrolling Clerk taken therefor; and said bills shall be enrolled by the Enrolling Clerk in the order of their receipt from the Secretary of the Senate.

XLVIII.—PRINTING THE DAILY JOURNAL.

The Superintendent of State Printing shall print a sufficient number of copies of the Journal of every day's proceedings of the Senate, to supply Senators, daily, during the session, with the Journal of the previous day's proceedings; and, also, a sufficient number of copies, with proper repaging, to bind at the end of the session of the Legislature, in book form, as the Journal of the Senate required by law.

XLIX.—AUTHOR TO SPEAK LAST.

The author of a bill, motion, or resolution, shall have the privilege of closing the debate, unless the previous question has been sustained.

L.

All committees of the Senate shall report their action on all bills or matters referred to them within five days after reference, unless otherwise specially ordered.

LANGFORD, Chairman.

Rules One to Thirty-five, inclusive, read and adopted.

Rule Thirty-six read.

Mr. English moved to recommit this rule to the committee for amendment.

Motion withdrawn.

Mr. McClure offered the following as a substitute for Rule Thirty-six:

XXXVI.—SUSPENDING AND CHANGING RULES.

No standing rule or order of the Senate shall be rescinded or changed without a vote of two thirds, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two thirds of the Senators present, except that portion of Rule Six relating to the final passage of bills; all proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

After debate, Mr. Filcher offered the following amendment to the substitute offered by Mr. McClure:

No standing rule or order of the Senate shall be rescinded or changed without a vote of a majority of all the Senators elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of a majority of all the Senators elected, except that portion of Rule Six relating to the final passage of bills; all proposed amendments to these rules shall be referred to the Committee on Rules, without debate.

After debate, the amendment was accepted by Mr. McClure.
The substitute, as amended, adopted as Rule Thirty-six.
Rules Thirty-seven to Fifty, inclusive, adopted.
The report of Committee on Rules, as amended, adopted.

RESOLUTION.

Mr. Kellogg offered the following resolution:

Resolved, That Jo. L. Van Prag be and he is hereby appointed Porter of the committee rooms of the Senate at a per diem of four dollars.

Adopted.

ADJOURNMENT.

At four o'clock and forty minutes P. M., on motion of Mr. Murphy, the Senate adjourned until two o'clock P. M., Thursday, March 27, 1884.

IN SENATE.

SENATE CHAMBER,
Thursday, March 27, 1884. }

The Senate met at two o'clock P. M.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lyneh, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Speneer of Napa, Speueer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

LEAVE OF ABSENCE.

Leave of absenc for one day was granted to Mr. Perry.

Journal of yesterday partially read, and, on motion of Mr. Kellogg, further reading was dispensed with, and the Journal approved.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following:

Assembly Coucurrent Resolution No. 1—Relative to the Postal Telegraph Bill introduced in Congress by Hon. Charles A. Sumner.

JULIUS REIMER, Assistant Clerk.

On motion of Mr. Johnson, the resolution was read.

On motion of Mr. Whitney, the Postal Telegraph Bill was ordered read.

Mr. Vrooman raised the point of order that this subject was not properly before the Senate.

The President decided the point of order not well taken, and the bill was read.

Bill partially read.

Mr. Murphy moved that further reading be suspended and the matter referred to the Committee on Federal Relations.

On division, the Senate, by a vote of nineteen to thirteen, refused to so refer.

Mr. Kellogg moved that further reading be dispensed with and the resolution adopted.

Objected to, and reading continued and finished.

Mr. Murphy moved that Assembly Concurrent Resolution No. 1 be made a special order for Monday, March thirty-first, at two o'clock P. M.

Ayes and noes demanded by Messrs. Spencer of Stanislaus, Langford, and Johnson.

After debate, the roll was called, with the following result:

AYES—Messrs. Cox, Cronan, Cross, Del Valle, English, Fraser, Harrigan, Lynch, McCarthy, McClure, Murphy, Ryan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill—18.
 NOES—Messrs. Baldwin, Brooks, Buck, Fileher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Maddox, Nelsou, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, and Sullivan—19.

Lost.

Upon the final passage of the resolution, the ayes and noes were demanded by Messrs. Foster, Sullivan, and Johnson.

Pending the roll-call, Mr. Vrooman moved to postpone further consideration until Monday, March thirty-first, at three o'clock P. M.

After debate, the motion was adopted.

On motion of Mr. Spencer of Stanislaus, the usual number of copies of the resolution and the Postal Telegraph Bill accompanying it, were ordered printed.

The President announced the Standing Committees of the Senate, as follows:

STANDING COMMITTEES.

On Contingent Expenses and Milcage—Messrs. Maddox, Del Valle, Reynolds, Keating, Wallis, and Spencer of Stanislaus.

On Engrossed Bills—Messrs. Nelson, Cross, English, Kellogg, Buck, and Routier.

On Enrolled Bills—Messrs. Harrigan, English, Wallis, Keating, Brooks, and Fileher.

On Judiciary—Messrs. Cross, Taylor, Spencer of Napa, Reddy, Baldwin, Johnson, Vrooman, Kelley of Solano, Kellogg, Sullivan, McClure, Del Valle, Perry, Whitney, Brooks, and Murphy.

On Public Printing—Messrs. Spencer of Stanislaus, Fileher, and Harrigan.

On Revenue and Taxation—Messrs. Murphy, Cox, English, Ryau, Kelley of Solano, Nelson, and Wallis.

On Federal Relations—Messrs. Baldwin, Kelley of Solano, Cronau, Dougherty, and Wallis.

On Constitutional Amendments—Messrs. Taylor, Spencer of Stanislaus, Harrigan, Knight, English, Johnson, Fileher, McClure, and Whitney.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Brooks: Senate Bill No. 2—An Act to amend the Political

Code by adding thereto a section, to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof.

Referred to Judiciary Committee.

By Mr. Johnson: Senate Bill No. 3—Amendment to the Constitution. To amend sections twenty-two and twenty-three of article twelve, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Baldwin: Senate Bill No. 4—Amendment to the Constitution—To amend sections twenty-two and twenty-three of article twelve.

Referred to Committee on Constitutional Amendments.

Senate Bill No. 1—Referred to Committee on Revenue and Taxation.

CONCURRENT RESOLUTION.

By Mr. Sullivan:

WHEREAS, There are now pending in the Senate of the United States and in the House of Representatives, certain measures which will tend to relieve the State of California from the continued immigration of Chinese;

Resolved by the Senate, the Assembly concurring, That our Senators are instructed and Representatives requested to support and urge the immediate passage of such measures.

Be it further resolved, That the Governor be requested to forward a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

Mr. Spencer of Stanislaus offered the following as a substitute:

Resolved, That it is the sense of the Senate of the Legislature of California, the Assembly concurring, that the Congress of the United States should, without unnecessary delay, pass the amended Chinese Restriction Bill now pending before that body.

Substitute accepted.

Ayes and noes demanded on resolution, as amended, by Messrs. Sullivan, Foster, and Knight.

Roll called, with the following result:

AYES—Messrs. Brooks, Buck, Cox, Cross, Del Valle, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Maddox, McCarthy, Murphy, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—30.

NOES—Messrs. McClure, Routier, Vrooman, and Wallis—4.

Adopted.

RESOLUTIONS.

By Mr. Baldwin:

Resolved, That the assistant clerks and attachés heretofore appointed at this session, whose per diem have not been fixed, shall receive the same pay that they received at the last regular session.

Adopted.

By Mr. Baldwin:

Resolved, That Thomas McGann be appointed Mail Carrier of the Senate, and that he receive the same per diem as at last regular session.

Adopted.

ADJOURNMENT.

At three o'clock and forty minutes p. m., Mr. Murphy moved to adjourn until two o'clock Monday, March thirty-first.

Mr. Maddox moved to adjourn.

Ayes and noes demanded on the motion to adjourn, by Messrs. Maddox, McClure, and Vrooman.

Roll called, with the following result:

AYES—Messrs. Brooks, Del Valle, Filcher, Foster, Fraser, Johnson, Kelly of San Francisco, Knight, Lynch, Maddox, Nelson, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, Wallis, Whitney, and Wolfskill—18.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, English, Harrigan, Keating, Kelley of Solano, Kellogg, McCarthy, McClure, Murphy, Routier, Ryan, Spencer of Napa, Taylor, and Vrooman—19.

Lost.

The question recurring on the motion of Mr. Murphy, the ayes and noes were demanded by Messrs. Lynch, Reddy, and Sullivan.

Roll called, with the following result:

AYES—Messrs. Baldwin, Chandler, Cronan, Cross, English, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Murphy, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Brooks, Buck, Cox, Del Valle, Filcher, Foster, Johnson, Kelly of San Francisco, Lynch, Maddox, Nelson, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

Carried.

Whereupon, the Senate adjourned until Monday, March thirty-first, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, March 31, 1884. }

The Senate met at two o'clock P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for one day granted to Mr. Brooks, for one day to Mr. Johnson, and for three days to Messrs. Ryan, McClure, and Kelley of Solano.

Journal of Thursday, March twenty-seventh, read and approved.

LEAVE OF ABSENCE.

One day's leave of absence granted to Mr. McCarthy.

PETITIONS.

Mr. Spencer of Stanislaus offered the following:

At a regular session of Assembly No. 855, K. of L., of Sacramento, held on Thursday evening March 27, 1884, the following was

Resolved, That, believing that the best interests of the whole people of the United States will be promoted by the establishment of the system of postal telegraphy, under the control of

the Government, we hereby respectfully petition the Legislature of this State, now in session, to use to that end the name of the people of this State to urge the Congress of the United States to establish that system of cheap and speedy communication for the public.

And be it further resolved, That we believe the bill of Congressman Sumner of this State, now pending before Congress, is preferable to all others, because of its cheaper, simpler, and therefore more essential usefulness; and, to aid in securing the important benefits that cannot fail to flow from its adoption, we respectfully but most urgently petition your honorable body to pass the Concurrent Resolution now pending, asking Congress to pass that bill.

NOBLE FISHER, Secretary pro tem.

JOHN D. JOST, M. W.

Placed on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. English: Senate Bill No. 5—Amendment to the Constitution—To amend sections four and ten of article thirteen.

Referred to Committee on Constitutional Amendments.

By Mr. Whitney: Senate Bill No. 6—An Act to provide additional revenue for the State, by taxing the incomes of corporations and others engaged in certain classes of business.

Referred to Committee on Revenue and Taxation.

RESOLUTION.

By Mr. Cross:

Resolved, That each standing committee of the Senate be entitled to one clerk, and the Judiciary Committee to two clerks.

Referred to Committee on Contingent Expenses and Mileage.

SPECIAL ORDER.

On motion of Mr. Kellogg, the Senate took up the special order for three o'clock: Assembly Concurrent Resolution No. 1—Relative to the Postal Telegraph bill introduced in Congress by Hon. Charles A. Sumner.

Adopted.

QUESTIONS OF PRIVILEGE.

Mr. Perry wished to announce himself in favor of the anti-Chinese resolution introduced on Thursday by Mr. Sullivan.

Mr. Spencer of Napa called the attention of the Senate to an article in the San Francisco Call regarding a compromise among Democratic Senators, which he denounced as false in every particular.

LEAVE OF ABSENCE.

Mr. Murphy was granted indefinite leave of absence, on account of illness.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Knight: Senate Concurrent Resolution No. 2—Relative to the "Morrison Tariff Bill," now pending before Congress.

Resolved by the Senate, the Assembly concurring, That our Senators be and they are hereby instructed and our Representatives are requested to use all honorable means to defeat any bill that proposes any reduction of the tariff on wool.

Resolved, That the Governor be requested to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Mr. Kellogg moved that the resolution be laid upon the table.

Ayes and noes demanded on the motion, by Messrs. Routier, Perry, and Kellogg.

Roll called, with the following result:

AYES—Messrs. Buck, Chandler, Cox, Kellogg, Lynch, Reddy, Routier, Spencer of Napa, Spencer of Stanislaus, and Vrooman—10.

NOES—Messrs. Baldwin, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Knight, Maddox, Nelson, Perry, Reynolds, Sullivan, Wallis, and Whitney—19.

On motion of Mr. Wallis, the resolution was referred to Committee on Federal Relations.

At two o'clock and thirty-five minutes P. M., Mr. Vrooman moved to adjourn to one o'clock P. M. Tuesday, April first.

Ayes and noes demanded on the motion, by Messrs. Nelson, Perry, and Reynolds.

Roll called, with the following result:

AYES—Messrs. Buck, Chandler, Knight, Lynch, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney—11.

NOES—Messrs. Baldwin, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Langford, Maddox, Nelson, Perry, Reddy, Reynolds, and Wallis—20.

Motion lost.

REPORTS OF STANDING COMMITTEES.

ON CONTINGENT EXPENSES AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, March 31, 1884.

MR. PRESIDENT: The Committee on Contingent Expenses and Mileage, to whom was referred the following, viz.:

Resolved, That a committee of five be appointed to ascertain and report upon mileage due Senators and attachés.

Beg leave to report that the following named Senators, Lieutenant-Governor, and officers, are entitled to mileage, as follows:

NAMES.	Miles.	Amount.	NAMES.	Miles.	Amount.
F. T. Baldwin	96	\$9 60	C. H. Maddox	256	\$25 60
A. L. Chandler	76	7 60	T. McCarthy	168	16 80
W. Cronan	168	16 80	D. McClure	168	16 80
C. W. Cross	142	14 20	B. D. Murphy	256	25 60
R. F. Del Valle	956	95 60	T. K. Nelson	168	16 80
J. T. Dougherty	168	16 80	G. H. Perry	168	16 80
L. W. Buck	80	8 00	P. Reddy	632	63 20
W. B. English	200	20 00	C. D. Reynolds	150	15 00
J. A. Filcher	74	7 40	P. H. Ryan	624	62 40
C. A. Foster	270	27 00	D. Spencer	122	12 20
Thomas Fraser	122	12 20	J. D. Spencer	154	15 40
J. Harrigan	168	16 80	F. J. Sullivan	168	16 80
G. A. Johnson	282	28 20	C. W. Taylor	354	35 40
E. Keating	168	16 80	H. Vrooman	182	18 20
M. Kelly	168	16 80	H. W. Wallis	222	22 20
J. M. Brooks	784	78 40	G. E. Whitney	182	18 20
K. E. Kelley	80	8 00	John Wolfskill	1140	114 00
W. W. Kellogg	372	37 20	John Daggett	570	57 00
Benjamin Knight	410	41 00	I. G. Messec	256	25 60
B. F. Langford	96	9 60	J. B. Sydnor	200	20 00
J. Lyuch	168	16 80	A. A. Taylor	410	41 00

And that the Controller be instructed to draw warrants for the amounts above set forth, in favor of said Senators and officers, upon the Contingent Fund of the Senate.
Respectfully submitted.

C. H. MADDUX, Chairman.

Adopted.

RESOLUTION—(OUT OF ORDER).

Mr. Del Valle offered the following resolution:

Resolved, That the Assistant Minute Clerk, Assistant Secretaries, Journal Clerk, Engrossing Clerk, Enrolling Clerk, and Postmistress, be allowed their mileage from their respective county seats.

Mr. Cross moved that it be referred to Committee on Contingent Expenses and Mileage.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 7—An Act making appropriations to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

JULIUS REIMER, Assistant Clerk.

Referred to Committee on Contingent Expenses and Mileage.

ADJOURNMENT.

At two o'clock and forty-five minutes P. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 1, 1884. }

The Senate met pursuant to adjournment.

Hon. R. F. Del Valle, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Keating, Knight, Langford, Lynch, Maddox, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

PETITION.

By Mr. Reddy (by request): Petition from the Land Reform League of California—Relative to taxation.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF A BILL.

By Mr. Lynch: Senate Bill No. 7—An Act to prevent and punish discriminations by railroad corporations, their officers, and servants.
Referred to Judiciary Committee.

RECESS.

At ten o'clock and twenty-five minutes A. M., on motion of Mr. Buck, the Senate took a recess for fifteen minutes.

REASSEMBLED.

At expiration of recess, the Senate reassembled.
President Daggett in the chair.

REPORT OF STANDING COMMITTEE.

ON CONTINGENT EXPENSES AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, April 1, 1884.

MR. PRESIDENT: Your committee to whom was referred Assembly Bill No. 7—An Act making appropriations to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year—have had the same under consideration, and report the same back, with the recommendation that it do pass.

Assembly Bill No. 7—An Act making appropriations to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

Read first time.

Mr. Maddox moved to suspend the provisions of section fifteen, of article four, of the Constitution, requiring bills to be read on three several days; that Assembly Bill No. 7 be declared a case of urgency, considered engrossed, and read the second time, and placed upon its passage.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Buck, Cronan, Cross, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Perry, Reddy, Rontier, Spencer of Napa, Sullivan, and Wallis—16.

NOES—Messrs. Baldwin, Chandler, Cox, Del Valle, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Nelson, Reynolds, Spencer of Stanislaus, Taylor, Vrooman, and Whitney—16.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Spencer of Napa: Senate Bill No. 8—An Act prescribing the method of valuation and assessment of franchises, roadways, roadbeds, etc., and prescribing duties of State Board of Equalization.

Referred to Committee on Revenue and Taxation.

Also, Senate Bill No. 9—Amendment to the Constitution—To amend section four, article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also, Senate Bill No. 10—Amendment to the Constitution—To

amend section ten, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also, Senate Bill No. 11—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

Referred to Committee on Revenue and Taxation.

Also, Senate Bill No. 12—Amendment to the Constitution—To amend section two, article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

Also, Senate Bill No. 13—Amendment to the Constitution—To amend section three, article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Whitney: Senate Bill No. 14—Amendment to the Constitution—To amend section ten, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Cross:

Resolved, That one hundred and twenty-five dollars be appropriated out of the Contingent Fund of the Senate, for the purchase, by the Secretary of State, of Political Codes for the Senate.

Adopted.

By Mr. Taylor:

Resolved, That the Secretary of State furnish each Senator, the Secretary, and Minute Clerk, a copy of the debates of the Constitutional Convention.

Adopted.

Mr. Spencer of Stanislaus gave notice of intention to move an amendment to the rules, requiring five hundred copies of each bill introduced in the Senate to be printed.

LEAVE OF ABSENCE.

Mr. McCarthy and Mr. Wolfskill granted an indefinite leave of absence.

Mr. Taylor granted one day's leave of absence.

ADJOURNMENT.

At ten o'clock and fifty minutes A. M., Mr. English moved to adjourn.

Mr. Brooks moved to amend by moving to adjourn until two o'clock P. M., to-morrow, April 2, 1884.

Ayes and noes demanded by Messrs. Taylor, Reynolds, and Routier.

Roll called, with the following result:

AYES—Messrs. Brooks, Fraser, Perry, Routier, and Wallis—5.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Nelson, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney—28.

Amendment lost.

The question recurring on the original motion, the same was carried, and the Senate declared adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 2, 1884. }

The Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

QUESTION OF PRIVILEGE.

Mr. Routier rose to a question of privilege, to reply to certain criticisms of his opinions in the Sacramento Bee. Mr. Routier declared himself as opposed to a high tariff, but not a champion of foreign goods.

LEAVE OF ABSENCE.

Mr. Keating was granted one day's leave of absence.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following :

Senate Concurrent Resolution No. 1—Relative to the speedy passage of the Chinese Restriction Act, now pending in Congress.

Also, Assembly Concurrent Resolution No. 5—Relative to statutory presented to the State of California by D. O. Mills.

JULIUS REIMER, Assistant Clerk.

Senate Concurrent Resolution No. 5 adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Sullivan: Senate Bill No. 15—Amendment to the Constitution—To amend section nine, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Revenue and Taxation.

Also, Senate Bill No. 16—An Act to amend section three thousand

six hundred and ninety-three of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the equalization thereof.

Referred to Committee on Revenue and Taxation.

SECOND READING OF BILL.

Assembly Bill No. 7—An Act making appropriations to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

Read second time, and placed on file for third reading.

RESOLUTIONS.

By Mr. Spencer of Stanislaus (in accordance with previous notice):

Resolved, That Rule Forty-four be amended to read "five hundred copies of all bills shall be printed," in lieu of "three hundred and sixty?"

Adopted.

Also, the following:

Resolved, That the per diem of the following named employés of the Senate shall commence from the twenty-fourth day of March, 1884:

Assistant Journal Clerk, Jennie Nirod; Pages, J. W. Coffroth, Jas. Cronan, J. W. Toomey; Gallery Watchman, Hank Jones; Floor Porters, J. D. Farrell, Lem. Wilson; Rear Porter, W. E. Maguire; Watchman, Daniel Coughlan, Jas. Castillo; Journal Clerk and Lieutenant-Governor's Porter, D. J. Cullen; Porter, Committees' Rooms, J. Van Pragg; Mail Carrier, Thos. McGann; Gatekeepers, W. P. Jordan, N. Jones.

And that the per diem of the following named employés shall commence on March 25, 1884: Pages, Jas. Longshore, J. Goldstein; Floor Porter, James Touhey.

Adopted.

ADJOURNMENT.

At ten o'clock and twenty minutes A. M., on motion of Mr. Cross, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, April 3, 1884. }

The Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Langford, Lynch, McCarthy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence granted to Messrs. Perry and Baldwin, and leave of absence for two days to Mr. Knight.

INTRODUCTION OF BILLS.

The following bill was introduced, read by title, and referred to committee:

By Mr. Johnson: Senate Bill No. 17—Amending the Constitution. To add an additional section to article thirteen, to be known as section twenty-five.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 7—An Act making appropriations to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelley of Solano, Kellogg, Lynch, McCarthy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, and Vrooman—25.
 NOES—Mr. Taylor—1.

Title read and approved.

RESOLUTIONS.

Mr. Cross introduced the following resolution:

Resolved, That the Pages of the Senate be in attendance in the Senate Chamber from nine o'clock A. M. to twelve o'clock M., and from one to five o'clock P. M., of each week day.

Adopted.

Mr. Whitney introduced the following resolution:

Resolved, That the Judiciary Committee be and they are hereby requested to inquire into and report to this body whether the Legislature, at the present session, is limited, in its power to propose amendments to article thirteen of the Constitution, to those sections especially enumerated in the proclamation of the Governor.

Lost.

At ten o'clock and twenty minutes A. M., Mr. Fraser moved to adjourn.

Mr. Reddy moved to amend by taking a recess until two o'clock P. M.

Amendment lost on a division of the Senate, by a vote of eleven to fifteen.

Ayes and noes demanded by Messrs. Ryan, Reynolds, and Taylor.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kellogg, McCarthy, Routier, Vrooman, and Whitney—12.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, Fileher, Johnson, Kelley of Solano, Langford, Lynch, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, and Wallis—17.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the second day of April, passed Assembly Bill No. 9—An Act to amend section five hundred and twenty-six of an Act entitled "An Act to establish a Code of Civil Procedure," relative to the issuance of injunctions.

E. E. LEAKE, Chief Clerk.
By G. W. HERBERT, Assistant Clerk.

Assembly Bill No. 9—Referred to Judiciary Committee.

ADJOURNMENT.

At ten o'clock and thirty minutes, Mr. Lynch moved to take a recess until two o'clock.

Mr. Kellogg moved to amend, by moving that the Senate do now adjourn.

The ayes and noes being demanded by Messrs. Taylor, Reynolds, and Reddy, the roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Buck, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, McCarthy, Nelson, Routier, Vrooman, Wallis, and Whitney—16.

NOES—Messrs. Chandler, Cox, Del Valle, Filcher, Johnson, Langford, Lynch, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, and Taylor—13.

Whereupon, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, April 4, 1884. }

The Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kellogg, Langford, Lynch, Maddox, McCarthy, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, April 4, 1884.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Senate Concurrent Resolution No. 1, and that the same has been placed in the hands of the Governor.

J. J. HARRIGAN, Chairman.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, April 2, 1884.

MR. PRESIDENT: Your Committee on Contingent Expenses submit the following resolution to your honorable body for your adoption:

Resolved, That the Controller be instructed to draw his warrant in favor of the Sergeant-at-Arms of the Senate for ten dollars and fifty cents (\$10 50) for Post Office box for use of Senate. Respectfully submitted.

MADDOX, Chairman.

Mr. Maddox moved the adoption of the report.
Adopted.

SENATE CHAMBER, SACRAMENTO, March 31, 1884.

MR. PRESIDENT: Your Committee on Contingent Expenses and Mileage, to whom was referred Senate resolution, introduced March thirtieth, granting to each standing committee in the Senate one clerk, and to the Judiciary Committee two clerks—most respectfully report that they have had the same under consideration, and recommend that it do not pass; but recommend, as a substitute, that the Judiciary Committee be allowed two clerks—one at a per diem of eight dollars, one at a per diem of six dollars; the Committee on Contingent Expenses and Mileage be allowed a clerk at a per diem of five dollars; the Committee on Revenue and Taxation be allowed a clerk at a per diem of five dollars, and Committee on Constitutional Amendments be allowed a clerk at a per diem of five dollars.

Respectfully submitted.

MADDOX, Chairman.

The report, as submitted by the Chairman, adopted.
The resolution, as amended, adopted.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Reddy: Senate Bill No. 18—An Act in relation to the collection of delinquent taxes. Authorizing the Boards of Supervisors of the several counties of the State to withhold property from sale to the State for delinquent taxes, providing for the collection of such delinquent taxes by civil actions, and prescribing forms of complaints in such actions.

Referred to Judiciary Committee.

By Mr. Murphy: Senate Bill No. 19—Amendment to the Constitution—To amend article thirteen, in relation to revenue and taxation.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

By Mr. Baldwin:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to receive from the Controller the warrants due the officers and members of the Senate, and receipt therefor.

Adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the third day of April, passed Assembly Bill No. 10—An Act to prevent discriminations and abuses by railroad corporations.

G. W. HERBERT, Assistant Clerk.

Referred to Judiciary Committee.

Mr. Maddox moved that the vote by which the resolution in relation to the mileage of Senators and officers of the Senate was passed, be reconsidered.

Carried.

Mr. Maddox moved to amend by striking out the words "Contingent Fund," and insert the words "Mileage Fund."

The resolution, as amended, adopted.

ADJOURNMENT.

Mr. Vrooman moved to adjourn to Monday, April seventh, at two o'clock P. M.

Mr. Filcher moved, as an amendment, that the Senate adjourn.

On a division of the Senate, the motion was lost by a vote of fifteen to sixteen.

Roll-call demanded by Messrs. Taylor, Reynolds, and Spencer of Stanislaus, on the original motion.

The roll was called, with the following result:

AYES—Messrs. Brooks, Chandler, Cronan, Dougherty, English, Fraser, Harrigan, Keating, Kellogg, McCarthy, Murphy, Perry, Routier, Vrooman, Wallis, and Whitney—16.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, Filcher, Foster, Johnson, Lynch, Maddox, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—16.

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Carried.

At ten o'clock and thirty minutes A. M., the Senate was declared adjourned until Monday, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, April 7, 1884. }

Senate met at two o'clock P. M., pursuant to adjournment:

Hon. R. F. Del Valle, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Messrs. Brooks, Keating, Cronan, Spencer of Napa, Kelley of Solano, and Wolfskill.

Journal of Friday, April 4, 1884, read and approved.

REPORTS OF STANDING COMMITTEES.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 4, 1884.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bills Nos. 15 and 16, have had the same under consideration, and respectfully report the same

back, and recommend that Senate Bill No. 15 be referred to the Committee on Constitutional Amendments, and Senate Bill No. 16 be referred to Judiciary Committee.

MURPHY, Chairman.

Senate Bills Nos. 15 and 16 so referred.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 7, 1884.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bills Nos. 3 and 4—Proposing to amend sections twenty-two and twenty-three, of article twelve, of the Constitution—have had the same under consideration, and report back Senate Bill No. 3, with amendments thereto, and recommend its passage as amended.

TAYLOR, Chairman.

Mr. Knight moved that Senate Bills Nos. 3 and 4 be referred to the Committee on Constitutional Amendments for further consideration.

After debate, the ayes and noes were demanded on the motion to refer, by Spencer of Stanislaus, Cox, and Johnson.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Buck, Chandler, Cross, Del Valle, Dougherty, Fraser, Harrigan, Kelly of San Francisco, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Baldwin, Cox, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, and Taylor—15.

Senate Bills Nos. 3 and 4 referred to the Committee on Constitutional Amendments.

RESOLUTION.

Mr. Cross offered the following resolution:

Resolved, That the Senate of California approves the course of United States Minister A. A. Sargent at the Court of Berlin, in upholding the interests of American products, and are proud that the independent spirit of a Californian has dared to assert itself, even at the Court of the German Empire.

On motion of Mr. Spencer of Stanislaus, it was made a special order for to-morrow, at three o'clock P. M.

ADJOURNMENT.

At two o'clock and fifty-five minutes P. M., Mr. McCarthy moved to adjourn until to-morrow, at two o'clock.

Ayes and noes demanded on the motion, by Messrs. Maddox, Taylor, and Reynolds.

Roll called, and the motion lost by the following vote:

AYES—Messrs. McCarthy, Murphy, Routier, Vrooman, and Wallis—5.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, McClure, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Wallis, and Whitney—29.

LEAVE OF ABSENCE.

Mr. Taylor was granted one day's leave of absence.

Mr. Wallis was granted indefinite leave of absence.

ADJOURNMENT.

At three o'clock P. M., on motion of Mr. English, the Senate adjourned until eleven o'clock A. M. to-morrow, April 8, 1884.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 8, 1884. }

Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

LEAVE OF ABSENCE.

Mr. English was granted one day's leave of absence.

Journal of yesterday read and approved.

RESOLUTIONS.

By Mr. Keating:

Resolved, That the Chairman of the Judiciary Committee be authorized to appoint a Porter for the rooms of the Judiciary Committee.

Adopted.

On motion of Mr. Spencer of Stanislaus, five hundred extra copies of Assembly Bill No. 10 were ordered printed.

SPECIAL ORDER.

On motion of Mr. Kellogg, the Senate took up the special order set for three o'clock P. M., the following resolution, offered by Mr. Cross:

Resolved, That the Senate of California approves the course of United States Minister A. A. Sargent at the Court of Berlin, in upholding the interests of American products, and are proud that the independent spirit of a Californian has dared to assert itself, even at the Court of the German Empire.

Mr. Kellogg moved to lay the resolution on the table.

Ayes and noes demanded on the motion, by Messrs. Routier, Harrigan, and Fraser.

Roll called, and the resolution tabled by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Cox, Del Valle, Filcher, Foster, Harrigan, Johnson, Kelley of Solano, Kellogg, Langford, Lynch, Maddox, McClure, Murphy, Perry, Reddy, Spencer of Napa, Sullivan, Vrooman, and Wolfskill—22.

NOES—Messrs. Chandler, Cross, Dougherty, Fraser, Keating, Kelly of San Francisco, Knight, Nelson, Reynolds, Routier, Ryan, Spencer of Stanislaus, and Whitney—13.

QUESTION OF PRIVILEGE.

Messrs. Spencer of Stanislaus, McClure, Vrooman, Knight, Perry, Keating, Routier, and Cross, made brief explanations of their votes on the motion to table the resolution.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the seventh day of April, passed Assembly Bill No. 8—"An Act to amend section two hundred and eighty-three, of article one, chapter one, title one, part four, of the Civil Code, being the general provisions applicable to all corporations."

ED. E. LEAKE, Chief Clerk.

Referred to the Judiciary Committee.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes A. M., on motion of Mr. Reddy, the Senate adjourned until eleven o'clock A. M., to-morrow, April 9, 1884.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 9, 1884. }

Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, Maddox, McClure, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spenceer of Stanislaus, Sullivan, Vrooman, Whitney, and Wolfskill.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Taylor and English were granted one day's leave of absence, and Mr. Brooks was granted indefinite leave of absence.

Journal of yesterday read and approved.

PETITION AND MEMORIAL.

By Mr. Brooks: Petition from the merchants of Santa Barbara County, relating to the powers of Boards of Supervisors of the various counties of the State in passing license ordinances.

Referred to Judiciary Committee.

By Mr. Whitney: A memorial from the merchants and ship-owners of San Francisco, relative to the taxation of vessels.

Referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee:

By Mr. Knight: Senate Bill No. 20—To amend sections one, four, seven, eight, and ten, of article thirteen, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At eleven o'clock and ten minutes A. M., on motion of Mr. Perry, the Senate adjourned until eleven o'clock A. M., to-morrow, April 10, 1884.

IN SENATE.

SENATE CHAMBER,
Thursday, April 10, 1884. }

Senate met at eleven o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Maddox, McClure, Nelson, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Messrs. Keating, Dougherty, Murphy, and Perry.

Leave of absence for one hour was granted to Mr. Filcher.

Journal of yesterday read and approved.

QUESTION OF PRIVILEGE.

Mr. Harrigan rose to a question of privilege, and stated that the articles in the San Francisco papers of April 9, 1884, relating to the San Francisco delegation in the Senate, and charges therein made by one Chris. Buckley, were false and libelous; and, in behalf of himself and colleagues, he repelled all the accusations and assertions therein contained as malicious falsehoods.

REPORT OF STANDING COMMITTEE.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 10, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 18—
"An Act in relation to the collection of delinquent taxes, authorizing the Boards of Supervisors

of the several counties of the State to withhold property from sale to the State for delinquent taxes, providing for the collection of such delinquent taxes by civil actions, and prescribing forms of complaints in such actions"—have had the same under consideration, and report it back, with a recommendation that it do not pass.

CROSS, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the ninth day of April, passed Assembly Bill No. 26—"An Act to amend section three thousand seven hundred and seventy-nine of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the collection of property taxes."

Also, Assembly Concurrent Resolution No. 10—Relative to the establishment of experimental stations in connection with agricultural colleges.

G. W. HERBERT, Assistant Clerk.

Assembly Bill No. 26, referred to Judiciary Committee.

Assembly Concurrent Resolution No. 10, relative to the establishment of experimental stations in connection with agricultural colleges, was, on motion of Mr. Kellogg, laid on the table.

Mr. Cox moved to take Senate Concurrent Resolution No. 10 from the table.

Lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That three dollars be appropriated, out of the Contingent Fund, for postage upon notices for the Judiciary Committee, and that the Controller be authorized to draw his warrant in favor of the Chairman.

Adopted.

Mr. Wallis moved to take from the table the resolution of Mr. Cross, relative to the course of United States Minister Sargent at Berlin.

Ayes and noes demanded, on the motion by Messrs. Wallis, Lynch, and Harrigan.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Cross, Kelly of San Francisco, Knight, Nelson, Routier, Ryan, Spencer of Napa, Sullivan, Wallis, and Whitney—11.

NOES—Messrs. Baldwin, Buck, Cox, Cronan, English, Foster, Fraser, Harrigan, Johnson, Kelley of Solano, Kellogg, Lynch, Maddox, Reynolds, Spencer of Stanislaus, Taylor, Vrooman, and Wolfskill—18.

ADJOURNMENT.

At eleven o'clock and twenty-five minutes A. M., on motion of Mr. Knight, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, April 11, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cronan, Del Valle, English, Fileher, Fraser, Kelly of San Francisco, Kellogg, Knight, Murphy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill.

No quorum.

Mr. Kellogg moved a call of the Senate.

Carried.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Messrs. Dougherty, Keating, Perry, Spencer of Napa, and Langford.

Leave of absence until Wednesday, April 16, 1884, was granted to Mr. Reddy.

CALL OF THE SENATE.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cronan, Cross, Del Valle, English, Fileher, Foster, Fraser, Harrigan, Kelly of San Francisco, Kellogg, Knight, Maddox, McClure, Murphy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill.

Excused—Messrs. Brooks, Dougherty, Keating, Langford, Perry, Reddy, Spencer of Napa, and Wallis.

On motion, further proceedings under the call were dispensed with. Journal of yesterday read and approved.

PETITIONS.

By Mr. Knight: Petitions from the South Pacific Coast Railroad Company and North Pacific Coast Railroad Company—Relative to Assembly Bill No. 10.

Referred to Judiciary Committee.

FIRST READING OF BILLS.

Senate Bill No. 18—An Act in relation to the collection of delinquent taxes, authorizing the Boards of Supervisors of the several counties of the State to withhold property from sale to the State for delinquent taxes, providing for the collection of such delinquent taxes by civil actions, and prescribing forms of complaints in such actions.

First reading refused.

At ten o'clock and seventeen minutes A. M., Mr. English moved to adjourn.

Mr. Kellogg moved to amend, by adjourning until Monday, at one o'clock and thirty minutes P. M.

Ayes and noes demanded on the amendment, by Messrs. Reynolds, Spencer of Stanislaus, and Cronan.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Fraser, Kellogg, McClure, Taylor, Vrooman, and Whitney—8.

NOES—Messrs. Chandler, Cronan, Cross, Del Valle, English, Fileher, Harrigan, Kelly of San Francisco, Knight, Murphy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, and Wolfskill—16.

Mr. Murphy moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Ayes and noes demanded by Messrs. Reynolds, Fileher, and Sullivan.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, English, Fraser, Kellogg, McClure, Murphy, Routier, Ryan, Taylor, Vrooman, and Whitney—12.

NOES—Messrs. Chandler, Cronan, Cross, Del Valle, Filcher, Harrigan, Kelly of San Francisco, Knight, Reynolds, Spencer of Stanislaus, Sullivan, and Wolfskill—12.

Mr. Taylor moved to adjourn until Monday, at one o'clock and thirty minutes P. M.

Ayes and noes demanded by Messrs. Reynolds, Taylor, and Fraser.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Fraser, Kellogg, McClure, Murphy, Routier, Taylor, Vrooman, and Whitney—10.

NOES—Messrs. Chandler, Cronan, Cross, Del Valle, English, Filcher, Harrigan, Kelly of San Francisco, Knight, Reynolds, Ryan, Spencer of Stanislaus, Sullivan, and Wolfskill—14.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Messrs. Taylor, Kellogg, Whitney, McClure, and Vrooman.

The question recurring on the original motion to adjourn without date, the same was declared lost on a viva voce vote.

Mr. McClure moved to adjourn until one o'clock and thirty minutes P. M. Monday.

Ayes and noes demanded by Messrs. Sullivan, Knight, and Whitney.

Roll called, with the following result:

AYES—Messrs. Baldwin, Buck, Chandler, Cronan, Cross, English, Filcher, Fraser, Harrigan, Kellogg, McClure, Murphy, Routier, Ryan, Taylor, Vrooman, and Whitney—17.

NOES—Messrs. Del Valle, Foster, Kelly of San Francisco, Knight, Maddox, Reynolds, Spencer of Stanislaus, Sullivan, and Wolfskill—9.

The Chair ruling that the motion required twenty-one votes, the same was declared lost.

CALL OF THE SENATE.

Mr. McClure moved a call of the Senate.

Carried.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cronan, Cross, Del Valle, English, Filcher, Foster, Fraser, Harrigan, Kelly of San Francisco, Kellogg, Knight, Maddox, McClure, Murphy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill.

EXCUSED—Messrs. Brooks, Dougherty, Johnson, Keating, Kelley of Solano, Langford, Perry, Reddy, Spencer of Napa, and Wallis.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Kelley of Solano and Johnson.

On motion of Mr. Vrooman, further proceedings under the call of the Senate were dispensed with.

ADJOURNMENT.

At ten o'clock and forty minutes A. M., on motion of Mr. Knight, the Senate adjourned until two o'clock and thirty minutes P. M., Monday, April 14, 1884.

IN SENATE.

SENATE CHAMBER,
Monday, April 14, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, Filcher, Foster, Harrigan, Keating, Kelly of San Francisco, Langford, Lyneh, McCarthy, McClure, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Messrs. Maddox, Kelley of Solano, Kellogg, Fraser, and Johnson.

Leave of absence for two days was granted to Mr. Knight.

Journal of Friday read and approved.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee:

By Mr. McClure: Senate Bill No. 21—To amend article thirteen of the Constitution of the State of California, relating to revenue.

Referred to Committee on Constitutional Amendments.

RESOLUTION.

By Mr. Cross:

Resolved, That the evidences taken before the Judiciary Committee be transcribed and printed, the transcribing to be paid for out of the Contingent Fund of the Senate, at the rate of twenty cents per folio.

Adopted.

MESSAGES FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the tenth day of April, passed Assembly Bill No. 29—"An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property tax."

Referred to Committee on Revenue and Taxation.

Also, on the eleventh day of April, adopted Assembly Concurrent Resolution No. 9—Relative to the location of the eastern boundary line of the State of California.

Referred to Committee on Federal Relations.

Also, on April eleventh, by the constitutional vote, passed Assembly Bill No. 37—An Act to propose an amendment to article twelve of the Constitution, in relation to corporations, by adding a new section thereto, to be known as section twenty-five, in relation to the establishment of maximum rates for passenger transportation on railroads.

G. W. HERBERT, Assistant Clerk.

Referred to Committee on Constitutional Amendments.

Mr. McClure moved to take up Assembly Concurrent Resolution No. 10, relative to the establishment of experimental stations in connection with agricultural colleges.

So ordered.

Mr. Del Valle moved to make it the special order for to-morrow, immediately after the reading of the Journal.

Carried.

ADJOURNMENT.

At three o'clock and seventeen minutes p. m., on motion of Mr. McCarthy, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 15, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Langford, Lynch, McCarthy, McClure, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

SPECIAL ORDER.

Consideration of Assembly Concurrent Resolution No. 10—Relative to the establishment of experimental stations in connection with agricultural colleges.

Ayes and noes demanded by Messrs. Kellogg, Sullivan, and Fraser.

Roll called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Langford, McClure, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Whitney—20.

NOES—Messrs. Dougherty, Kelley of Solano, Kellogg, Lynch, Perry, Reddy, Reynolds, Routier, Ryan, Vrooman, Wallis, and Wolfskill—12.

Adopted.

At ten o'clock and thirteen minutes a. m., Mr. Brooks moved to adjourn.

Lost.

Mr. Kellogg moved to take from the table the resolution of Mr. Cross, relative to the course of United States Minister Sargent at Berlin.

Ayes and noes demanded on the motion, by Messrs. Perry, Harrigan, and Lynch.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cross, Fraser, Keating, McClure, Nelson, Routier, Ryan, Wallis, and Whitney—9.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Langford, Lynch, Perry, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Vrooman—25.

RESOLUTION.

By Mr. Kellogg:

Resolved, That this Senate approves all the sentiment, statement, and proposed policy, as contained and expressed in the following letter, as published in the press dispatches of date April 13, 1884.

[Special to the "Morning Call."]

NEW YORK, April 13.—The "World," continuing its telegrams from various States, has the following reply from Governor Stoneman:

SACRAMENTO, Cal., April 12.

SIR: In reply to your inquiries of yesterday, I have to say: First, that I regard a change of the political administration at Washington, the return to first principles as they existed previous to the civil war, and the regulation and control of corporations and monopolies, as the paramount issues in the coming political campaign. In my opinion, the tariff question, to the people of this coast, is secondary to that. The tariff question in time will be adjusted as the demands and necessities of the people require. Secondly, I am not well enough informed as to the details of the Morrison bill to give an opinion. Thirdly, the platform of the Ohio Democracy on the subject of the tariff, as far as I am informed, meets the views of the people of this State.

(Signed:)

GEORGE STONEMAN.

On motion of Mr. Kellogg, referred to Committee on Federal Relations.

LEAVE OF ABSENCE.

Leave of absence for two days was granted to Mr. Wolfskill and to Minute Clerk A. A. Taylor.

ADJOURNMENT.

At ten o'clock and forty-five minutes A. M., Mr. Del Valle moved to adjourn.

Ayes and noes demanded by Messrs. Filcher, Reddy, and Del Valle.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Cross, Del Valle, English, Filcher, Johnson, Kelly of San Francisco, Kellogg, Langford, Lynch, McClure, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Wallis—23.

NOES—Messrs. Brooks, Cronan, Dougherty, Foster, Fraser, Harrigan, Keating, Kelley of Solano, Nelson, Perry, Routier, and Whitney—12.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 16, 1884. }

The Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buek, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

PETITIONS.

Mr. Reddy presented a petition from citizens of this State, asking the speedy passage of Assembly Bill No. 10—Entitled "An Act to prevent railroad discriminations by corporations."

Referred to Judiciary Committee.

REPORT OF STANDING COMMITTEE.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 16, 1884.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bill No. 3—An Act amending sections twenty-two and twenty-three, of article twelve, of the Constitution—have had the same under consideration, and report it back, with amendments thereto, and recommend its adoption as amended.

TAYLOR, Chairman.

ADJOURNMENT.

At ten o'clock and seven minutes A. M., on motion of Mr. McClure, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Thursday, April 17, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators responded to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Nelson, Perry, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

FIRST READING OF BILL.

Senate Bill No. 3—An Act amending the Constitution.

Read first time, and placed on file for second reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That five dollars is hereby appropriated, out of the Contingent Fund of the Senate, to pay for telegrams sent by order of the Judiciary Committee.

Adopted.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the fifteenth day of April, passed Assembly Concurrent Resolution No. 12—Relative to the removal of causes pending in the Courts of the State of California to the Federal Courts of the United States.

Also, on April sixteenth, passed Assembly Bill No. 41—An Act to provide for funding the indebtedness of counties in certain cases.

Also, on April sixteenth, adopted Assembly Concurrent Resolution No. 4—Relative to the creation of a Federal Commission of Transportation.

G. W. HERBERT, Assistant Clerk.

Assembly Concurrent Resolution No. 12, Assembly Bill No. 41, and Assembly Concurrent Resolution No. 4, were referred to the Judiciary Committee.

ADJOURNMENT.

At ten o'clock and fifteen minutes A. M., on motion of Mr. Vrooman, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, April 18, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

PETITIONS.

Mr. Reddy presented two petitions from citizens of this State, asking the speedy passage of Assembly Bill No. 10—Entitled "An Act to prevent railroad discriminations by corporations."

Referred to Judiciary Committee.

Mr. Buck, also, presented a petition from citizens of Vacaville, in Solano County, asking the speedy passage of Assembly Bill No. 10—

Entitled "An Act to prevent railroad discriminations by corporations."

Referred to Judiciary Committee.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That one thousand copies of the evidence taken before the Judiciary Committee upon the Barry Bill be printed.

Mr. Reddy moved to amend, by making it five thousand copies.
Amendment accepted.

Ayes and noes demanded on the adoption of the resolution, as amended, by Messrs. Kellogg, Perry, and Fraser.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Reddy, Routier, Spencer of Napa, Vrooman, Wallis, Whitney, and Wolfskill—26.

NOES—Messrs. Brooks, Cox, Filcher, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Perry, Reynolds, Spencer of Stanislaus, Sullivan, and Taylor—13.

LEAVE OF ABSENCE.

Mr. Chandler was granted indefinite leave of absence on account of sickness in his family.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced, read by title, and referred to committees:

By Mr. Buck: Senate Bill No. 22—An Act to amend section three thousand six hundred and seventeen of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the definition of terms in the title on revenue.

Referred to Committee on Revenue and Taxation.

By Mr. Maddox: Senate Bill No. 23—Amendment to the Constitution—To abolish section twenty-three, of article twelve, of the Constitution, and to amend section twenty-two, of article twelve, of the Constitution of the State of California.

Referred to Committee on Constitutional Amendments.

By Mr. Taylor: Senate Bill No. 24—Amendment to the Constitution—To amend sections twenty-two and twenty-three, of article twelve, of the Constitution, relating to Railroad Commissioners.

Referred to Committee on Constitutional Amendments.

SECOND READING OF BILL.

Senate Bill No. 3—An Act amending the Constitution.

Mr. Johnson moved to make Senate Bill No. 3 the special order for Tuesday, April 22, 1884, at two o'clock P. M.

So ordered.

RESOLUTION—(OUT OF ORDER).

By Mr. Taylor:

Resolved, That of the five thousand copies of the testimony taken before the Judiciary Committee on the Barry Bill, the Secretary of State be authorized to furnish each Senator with

one hundred copies, duly wrapped and stamped, ready for mailing, the expense of the same to be charged to the Contingent Fund of the Senate.

Referred to Committee on Contingent Expenses.

ADJOURNMENT.

At ten o'clock and thirty-eight minutes A. M., Mr. Cross moved to adjourn.

Mr. Dougherty moved to amend, by adjourning until Monday, at two o'clock P. M.

Ayes and noes demanded on the amendment, by Messrs. Reynolds, Maddox, and Spencer of Stanislaus.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Baldwin, Brooks, Dougherty, McClure, Perry, Routier, Vrooman, and Whitney—8.

NOES—Messrs. Buck, Chandler, Cox, Cronan, Cross, Del Valle, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Wallis, and Wolfskill—31.

The question recurring upon the original motion, the ayes and noes were demanded by Messrs. Maddox, Reynolds, and Cox.

Roll called, with the following result:

AYES—Messrs. Baldwin, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Wallis, Whitney, and Wolfskill—28.

NOES—Messrs. Buck, Dougherty, Fraser, Harrigan, Keating, McCarthy, McClure, Nelson, Perry, Routier, and Vrooman—11.

The motion being carried, at ten o'clock and forty-three minutes A. M., the President declared the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, April 19, 1884. }

Senate met pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators responded to their names:

Messrs. Baldwin, Brooks, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Maddox, McCarthy, McClure, Murphy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Messrs. Lynch, Perry, Buck, and Knight.

REPORTS OF STANDING COMMITTEES.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 19, 1884.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bill No. 4—"An Act amending sections twenty-two and twenty-three, of article twelve, of the Constitution"—have had the same under consideration, and report it back, with a recommendation that it do not pass.

CLAY W. TAYLOR, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 10—"An Act to prevent discriminations and abuses by railroad corporations"—have had the same under consideration, and report it back with amendments, and recommend that it do pass as amended.

CROSS, Chairman.

Mr. Cross moved to consider Assembly Bill No. 10—An Act to prevent discriminations and abuses by railroad corporations—at once.

Mr. Kellogg moved to amend, by making the time for consideration three o'clock p. m., this afternoon.

Ayes and noes demanded on the motion by Mr. Cross, by Messrs. Ryan, Kellogg, and Cross.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill—30.

NOES—Messrs. Brooks and Kellogg—2.

FIRST READING.

Upon the question, shall the bill be read the first time, the ayes and noes were demanded by Messrs. Cross, Ryan, and Kellogg.

Roll called, with the following result:

AYES—Messrs. Baldwin, Brooks, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Maddox, McCarthy, McClure, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill—31.

NOES—None.

So ordered.

Mr. English moved that one thousand copies of Assembly Bill No. 10, with proposed committee amendments, be printed.

So ordered.

RESOLUTIONS.

By Mr. Cross:

Resolved, That three hundred and sixty more copies of Assembly Bill No. 10, as amended by the Assembly, be printed.

Adopted.

By Mr. Cross:

Resolved, That the second reading of Assembly Bill No. 10 be made the special order for two o'clock p. m., of Thursday next.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced, read by title, and referred to committee:

By Mr. McClure: Senate Bill No. 25—Amendment to the Constitution—To amend article thirteen of the Constitution.

Referred to Committee on Constitutional Amendments.

GENERAL FILE—FIRST READING.

Senate Bill No. 4—An Act amending the Constitution.
First reading refused.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON CONTINGENT EXPENSES AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, April 19, 1884.

MR. PRESIDENT: Your Committee on Contingent Expenses and Mileage, to whom was referred the following, viz.:

Resolved, That of the (5,000) five thousand copies of the testimony taken before the Judiciary Committee on the Barry Bill, the Secretary of State be authorized to furnish each Senator with one hundred copies, duly wrapped and stamped, ready for mailing, the expense of the same to be charged to the Contingent Fund of the Senate.

Have had the same under consideration, and recommend that it do not pass.

Respectfully submitted.

MADDOX, Chairman.

The question being upon the adoption of the resolution, the same was rejected.

ADJOURNMENT.

At ten o'clock and thirty minutes A. M., Mr. Murphy moved to adjourn until Monday, at three o'clock P. M.

Mr. Maddox moved to amend, by adjourning until two o'clock P. M., Monday.

Lost.

Mr. Taylor moved to adjourn.

Lost.

The question recurring on the original motion of Mr. Murphy, the same was carried.

Whereupon, the President declared the Senate adjourned until Monday, at three o'clock P. M.

IN SENATE.

SENATE CHAMBER, }
Monday, April 21, 1884. }

Senate met at three o'clock P. M., pursuant to adjournment.

Hon. R. F. Del Valle, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Cox, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch,

Maddox, McCarthy, Murphy, Nelson, Perry, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Whitney, and Wolfskill.

Quorum present.

Journal of Saturday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Messrs. Sullivan, McClure, Keating, and Cronan.

Leave of absence until Wednesday was granted to Mr. Brooks.

Indefinite leave of absence was granted to Mr. Buck.

ADJOURNMENT.

At three o'clock and eight minutes P. M., on motion of Mr. Vrooman, the Senate adjourned until one o'clock P. M., to-morrow, April twenty-second.

IN SENATE.

SENATE CHAMBER,
Tuesday, April 22, 1884. }

Senate met at one o'clock P. M., pursuant to adjournment.

Hon. R. F. Del Valle, President pro tem., in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

President Daggett in the chair.

PETITIONS.

By Mr. English: Petition from certain citizens of the town of San Rafael, relating to license taxes.

Referred to Committee on Judiciary.

By Mr. Cross: Communication from certain wholesale merchants of San Francisco, relating to matters contained in Assembly Bill No. 10.

On motion of Mr. Cross, the same was ordered printed and laid upon the desks of the members.

REPORTS OF STANDING COMMITTEES.

ON REVENUE AND TAXATION—MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 22, 1884.

MR. PRESIDENT: The majority of your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 29—Entitled "An Act to provide for taxes upon the income of rail-

road corporations who shall fail to pay their property taxes"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

NELSON,
RYAN,
WALLIS,
KELLEY.

MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 22, 1884.

MR. PRESIDENT: The minority of your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 29—Entitled "An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, without amendments.

MURPHY,
COX,
ENGLISH.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 19, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 41—"An Act to provide for funding the indebtedness of counties in certain cases"—have had the same under consideration, and report it back, with a recommendation that it do pass.

CROSS, Chairman.

INTRODUCTION OF BILLS.

By Mr. Cross (by request): Senate Bill No. 26—An Act to amend sections six hundred and thirty-two and six hundred and thirty-three of the Penal Code of California.

Referred to Committee on Revenue and Taxation.

By Mr. Wallis: Senate Bill No. 27—An Act to amend section one, of article thirteen, of the Constitution.

Referred to Committee on Constitutional Amendments.

FIRST READING OF BILLS.

Assembly Bill No. 29—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

Read first time, and placed on file for second reading.

Assembly Bill No. 41—An Act to provide for funding the indebtedness of counties in certain cases.

Read first time, and placed on file for second reading.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the twenty-first day of April, passed Assembly Bill No. 42—An Act relating to revenue and taxation.

Also, Assembly Bill No. 43—An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven, of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation.

G. W. HERBERT, Assistant Clerk.

Assembly Bills Nos. 42 and 43, referred to Committee on Revenue and Taxation.

SPECIAL ORDER.

Consideration of Senate Bill No. 3.

Senate Bill No. 3—An Act amending the Constitution.

Section one read second time.

Committee recommend to amend, on line fifty-one of the printed bill, by striking out the words "two thirds," and inserting, in lieu thereof, the word "majority," so it shall read: "The Legislature shall have power, by a majority vote of all the members elected to each House."

After debate, on motion of Mr. Baldwin, further consideration of Senate Bill No. 3 was postponed until to-morrow, April twenty-third, at two o'clock P. M.

ADJOURNMENT.

At three o'clock and twenty-seven minutes P. M., on motion of Mr. Kelley of Solano, the Senate adjourned until one o'clock P. M., to-morrow, April twenty-third.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 23, 1884. }

Senate met at one o'clock P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivau, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Mr. Perry.

REPORTS OF COMMITTEES.

ON JUDICIARY.

• SENATE CHAMBER, SACRAMENTO, April 23, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 16—"An Act to amend section three thousand six hundred and ninety-three of the Political Code, relating to revenue and taxation"—have had the same under consideration, and report it back, without recommendation.

Also, Senaté Bill No. 7—"An Act to prevent and punish discriminations by railroad corporations, their officers, and servants"—have had the same under consideration, and report it back, with a recommendation that it do not pass.

Also, Assembly Concurrent Resolution No. 4—Relative to the creation of a Federal Commission of Marine Transportation—have had the same under consideration, and report it back, with a recommendation that it do not pass.

CROSS, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, April 23, 1884.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 43—Entitled "An Act to amend sections three thousand seven hundred and seventy-one, three thousand seven hundred and seventy-three, three thousand seven hundred and eighty-six, and three thousand seven hundred and eighty-seven, of an Act to establish a Political Code, approved March 12, 1872, relating to revenue and taxation"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also, Assembly Bill No. 42—Entitled "An Act relating to revenue and taxation"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

B. D. MURPHY, Chairman.

PETITION—(OUT OF ORDER).

By Mr. Knight: Petition from certain citizens of Santa Cruz County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

ASSEMBLY MESSAGE.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 13—Relative to the tax suits pending or on appeal in the Supreme Court of the United States from the United States Circuit Court for the District of California.

G. W. HERBERT, Assistant Clerk.

Mr. Ryan moved the adoption of the resolution.

Mr. Kellogg moved to amend, by referring the resolution to the Judiciary Committee.

Carried.

SECOND READING OF BILLS.

Assembly Bill No. 29—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

Section one read second time.

Committee recommend to amend, by inserting in section one, line two, of printed bill, after the word "company," the following words: "or corporation and every other company or corporation doing business as such in this State."

Mr. Vrooman moved to amend the amendment, by adding thereto, after the word "corporation," the words "or person."

After debate, the ayes and noes were demanded on the amendment to the amendment, by Messrs. Routier, Cox, and Ryan.

Roll called, and the amendment lost by the following vote:

AYES—Messrs. Brooks, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Routier, Ryan, Vrooman, Wallis, and Whitney— 16.

NOES—Messrs. Baldwin, Cox, Cross, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Stanislaus, Taylor, and Wolfskill—17.

SPECIAL ORDER.

Pending the debate on the original amendment, the hour arrived for the consideration of the special order of the day, the consideration of Senate Bill No. 3.

Mr. Langford moved that the special order be postponed until tomorrow, immediately after the reading of the Journal.

Ayes and noes demanded on the motion, by Messrs. Kellogg, Kelley of Solano, and Reynolds.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Cox, Cross, English, Filcher, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Langford, Lynch, Maddox, Nelson, Reddy, Reynolds, Ryan, Spencer of Stanislaus, Wallis, and Whitney—22.

NOES—Messrs. Cronan, Dougherty, Foster, Keating, Knight, McCarthy, McClure, Murphy, Routier, Taylor, Vrooman, and Wolfskill—12.

So ordered.

SECOND READING OF BILLS—(RESUMED).

Ayes and noes demanded on the adoption of the amendment offered by the committee, by Messrs. Ryan, Routier, and Harrigan.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Reynolds, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Baldwin, Cox, English, Filcher, Foster, John C. Langford, Lynch, Maddox, Murphy, Reddy, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—16.

Other amendments of the committee, to read the bill harmonize with the above amendment, were adopted.

The committee further recommend to amend section one, by striking out, after the word "State," line thirteen of printed bill, "by an attorney to be named by him," and insert in lieu thereof the following: "who shall immediately notify the Attorney-General, who."

After debate, the ayes and noes were demanded on the adoption of the amendment, by Messrs. Ryan, Reynolds, and Kellogg.

Roll was called, with the following result:

AYES—Messrs. Brooks, Cross, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Cox, Cronan, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

The vote being a tie, the President exercised his constitutional right and voted in the affirmative.

Whereupon, the amendment was declared adopted.

The committee further recommended to amend section one, by striking out in line fourteen, printed bill, the word "company," and insert in lieu thereof the following: "railroad company or corporation, and every other delinquent company or corporation doing business in this State."

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That two hundred and ninety dollars be appropriated, out of the Contingent Fund of the Senate, to pay F. H. McAllister for transcribing testimony taken before the Judiciary Committee.

Referred to Committee on Contingent Expenses.

At four o'clock and six minutes P. M., Mr. Murphy moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Spencer of Napa, Reddy, and Maddox.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Brooks, Cronan, English, Johnson, Keating, Langford, Lynch, Murphy, Reddy, Spence of Napa, Sullivan, Vrooman, and Wallis—14.

NOES—Messrs. Cox, Cross, Dougherty, Filcher, Foster, Fraser, Harrigan, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Maddox, McCarthy, McClure, Nelson, Reynolds, Routier, Ryan, Spencer of Stanislaus, Taylor, Whitney, and Wolfskill—22.

SECOND READING OF BILL—(RESUMED).

Amendment adopted.

The committee further recommend to add at the end of section one, line nineteen of printed bill, after the word "complaint," the following: "Said ten per cent attorney's fee shall be employed, under the direction of the State Board of Examiners, for the purpose of securing additional counsel to aid in the prosecution of any such suit or suits; provided, however, that no compensation shall be paid to such additional counsel until the same shall have been collected from such delinquent corporations or companies."

Amendment adopted.

Mr. Johnson moved to amend section one, by striking out, on line nine of the printed bill, the word "company," and insert in lieu thereof the words "railroad companies or corporations, or any other company or corporation."

Mr. Vrooman offered the following as a substitute for Mr. Johnson's amendment: "Amend section one by inserting, after the word 'company,' on line nine, the words 'or corporation.'"

Ayes and noes demanded, on the adoption of the substitute, by Messrs. Langford, Reddy, and Spencer of Stanislaus.

Roll was called, and the substitute adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Routier, Ryan, Vrooman, Wallis, and Whitney—22.

NOES—Messrs. Cox, English, Filcher, Foster, Johnson, Kelley of Solano, Langford, Lynch, Reynolds, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—14.

Mr. Cross moved to amend section one, by adding, after "committee amendment," on line two, "whose property is devoted to or affected by a public use."

ADJOURNMENT.

At four o'clock and forty-three minutes P. M., on motion of Mr. Murphy, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, April 24, 1884. }

Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buck, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

SPECIAL ORDER.

Consideration of Senate Bill No. 3—An Act amending the Constitution—on second reading.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON JUDICIARY—MAJORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 23, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Concurrent Resolution No. 12—Relative to the removal of causes pending in the Courts of the State of California to the Federal Courts of the United States—have had the same under consideration, and report it back, with a recommendation that it do pass.

CROSS, Chairman.

ON JUDICIARY—MINORITY REPORT.

SENATE CHAMBER, SACRAMENTO, April 23, 1884.

MR. PRESIDENT: The undersigned, being a minority of the Judiciary Committee, to whom was referred Assembly Concurrent Resolution No. 12—Relative to the removal of causes pending in the Courts of the State of California to the Federal Courts of the United States—find themselves unable to agree with the recommendation reported by the majority of the committee, to the effect that said concurrent resolution do pass.

The Act of Congress of the third of March, eighteen hundred and seventy-five, entitled "An Act to determine the jurisdiction of Circuit Courts of the United States, and to regulate the removal of causes from State Courts, and for other purposes," provides, among other things; that the Circuit Court of the United States shall have original cognizance, concurrent with the Courts of the several States, of all suits of a civil nature at common law or in equity, where the matter in dispute exceeds, exclusive of costs, the sum or value of five hundred dollars, and arising under the Constitution or laws of the United States, or treaties made or to be made under their authority.

Said Act also provides that in such cases, when brought in the State Courts, either party may, by proceedings therein provided, remove the same to the Circuit Court of the United States, for the proper district.

This resolution instructs our Senators and requests our Representatives to use their best efforts to procure an amendment to said Act of Congress, so as to prevent the removal of tax suits from the Superior Courts of this State to the Circuit Court of the United States for the Ninth Circuit, District of California.

The result of such an amendment would devolve upon the parties to such suits the necessity of litigating them: first, in the Superior Court of this State, and, second, in the Supreme Court of this State, and then, if so desired, taking them by writ of error to the Supreme Court of the United States; so that the object and purpose of the resolution is simply to change the mode of procedure in the classes referred to.

Every party to a suit involving Federal questions has a constitutional right, under the Constitution of the United States, to have those questions tried and determined in the Federal

Courts. Such parties ought to be afforded the most direct and expeditious mode of procedure. Especially is this true in cases brought by the State to collect its taxes. It is of the first importance that the State should be enabled to collect its taxes in the most expeditious mode, and with the least delay. In the opinion of the undersigned, the mode provided for by the Act of Congress of the third of March, 1875, is far more expeditious than the mode which would have to be adopted should that Act be amended as proposed by this resolution. A case being brought to the State Court, and removed to the Circuit Court, might be in many cases finally determined in that Court; if not, a writ of error takes it direct to the Supreme Court of the United States; thus, there being but two Courts in which there can be a trial of the case.

The other mode requires the parties first to litigate their case in the Superior Court of the State; then by appeal to the Supreme Court of the State; and then by writ of error to the Supreme Court of the United States.

This latter mode involves three trials, instead of two, and is attended with delay far greater than the former.

It is well known that the business of the Supreme Court of this State has increased, and is still increasing, to such an extent as to render it impossible for the Court to keep even pace with its calendar. Delays would therefore occur in that tribunal, which is obviated by the course at present pursued.

We are therefore of the opinion that it is inexpedient to make any change in the Act of Congress of the third of March, 1875, and that the change proposed, if adopted, would result to the prejudice of the State, for the reasons above suggested.

All of which is respectfully submitted.

HENRY VROOMAN.

By unanimous consent, the author, Mr. Sullivan, was permitted to withdraw Senate Bill No. 16.

SPECIAL ORDER—(RESUMED).

Mr. Reddy moved that further consideration of Senate Bill No. 3 be continued until to-morrow, April twenty-fifth, immediately after reading of Journal.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

Mr. Del Valle granted indefinite leave of absence.

Ayes and noes demanded on the motion for a call of the Senate, by Messrs. Sullivan, Filcher, and Kellogg.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cross, Fraser, Keating, Kelley of Solano, Kellogg, McClure, Nelson, Perry, Routier, Ryan, Vrooman, and Wallis—13.

NOES—Messrs. Baldwin, Buck, Cox, English, Filcher, Foster, Johnson, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Whitney, and Wolfskill—20.

At ten o'clock and forty minutes A. M., Mr. Kellogg moved to take a recess until two o'clock P. M.

Ayes and noes demanded on the motion, by Messrs. Reddy, Reynolds, and Brooks.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cross, Dougherty, Harrigan, Keating, Kelley of Solano, Kellogg, McClure, Nelson, Perry, Routier, Vrooman, and Wallis—12.

NOES—Messrs. Baldwin, Brooks, Buck, Cox, Cronan, English, Filcher, Foster, Fraser, Johnson, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Whitney, and Wolfskill—24.

SPECIAL ORDER—(RESUMED).

By consent, Mr. Reddy withdrew the motion to postpone consideration of the special order, Senate Bill No. 3—second reading.

The question being on the adoption of the committee's amend-

ment to section one, on line fifty-one of the printed bill, by striking out the words "two thirds," and inserting, in lieu thereof, the word "majority," so it shall read: "The Legislature shall have power, by a majority vote of all the members elected to each House."

Pending debate on this amendment, at twelve o'clock and twenty-five minutes P. M., on motion of Mr. Whitney, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

SPECIAL ORDER.

Assembly Bill No. 10—An Act to prevent discriminations and abuses by railroad corporations—second reading.

Mr. Reddy moved to postpone consideration of the special order until to-morrow, immediately after the reading of the Journal.

After debate, the motion was withdrawn.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross :

Resolved, That rule thirty of the Standing Rules be amended, by adding thereto : "A motion to reconsider any vote concerning an amendment, may be made by any Senator at any time before the bill to which it relates is ordered engrossed."

Referred to Committee on Rules.

SPECIAL ORDER—(RESUMED).

Mr. Filcher moved that further consideration of Assembly Bill No. 10 be postponed until to-morrow morning, immediately after the reading of the Journal.

Pending debate on the motion, at three o'clock and twenty-three minutes P. M., Mr. Cross moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Spencer of Stanislaus, Filcher, and Taylor.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Cross, Fraser, Keating, Kelley of Solano, Kellogg, Lynch, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Cox, Cronan, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Knight, Langford, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—20.

Pending further consideration of the motion to postpone, Mr. McClure moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Vrooman, Fraser, and Routier.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kellogg, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, and Whitney—16.

NOES—Messrs. Baldwin, Buck, Cox, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, and Wolfskill—22.

At three o'clock and twenty-eight minutes P. M., Mr. Kellogg moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Spencer of Napa, Taylor, and Reddy.

Roll called, with the following result:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Buck, Cox, English, Filcher, Foster, Johnson, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

Whereupon, the motion was declared lost.

CALL OF THE SENATE.

Mr. McCarthy moved a call of the Senate.

Ayes and noes were demanded on the motion, by Messrs. Reynolds, Spencer, and Baldwin.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Dougherty, Fraser, Harrigan, Keating, Kellogg, McCarthy, McClure, Nelson, Perry, Ryan, Routier, Vrooman, Wallis, and Whitney—14.

NOES—Messrs. Baldwin, Buck, Cox, Cronan, Cross, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—24.

At three o'clock and thirty-two minutes P. M., Mr. Perry moved to adjourn.

Ayes and noes demanded by Messrs. Kellogg, Reynolds, and Spencer of Napa.

Roll called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Dougherty, Harrigan, Keating, Kelley of Solano, Kellogg, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Cox, English, Filcher, Foster, Fraser, Johnson, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

Whereupon, the motion was declared lost.

At three o'clock and thirty-five minutes P. M., Mr. Kellogg moved to take a recess until five o'clock P. M.

Lost.

ADJOURNMENT.

At three o'clock and forty-nine minutes P. M., Mr. Knight moved to adjourn.

Ayes and noes were demanded on the motion, by Messrs. Cross, Knight, and Taylor.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Dougherty, Fraser, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—22.

NOES—Messrs. Cox, English, Filcher, Foster, Harrigan, Johnson, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—16.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Friday, April 25, 1884. }

Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

By consent, Mr. Lynch was permitted to withdraw Senate Bill No. 7.

PETITIONS, ETC.

By Mr. Reddy: A communication from the Democratic County Central Committee of Alameda County.

On motion of Mr. McClure, the communication was referred to the Alameda delegation.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee:

By Mr. Cross: Senate Bill No. 28—An Act to prevent the waiver or compromise of rights to revenue.

Referred to Committee on Revenue and Taxation.

SECOND READING OF BILLS.

Assembly Bill No. 41—An Act to provide for funding the indebtedness of counties in certain cases.

On motion of Mr. Murphy, Assembly Bill No. 41 was rereferred to the Committee on Judiciary.

Assembly Bill No. 10—An Act to prevent discriminations and abuses by railroad corporations.

Section one read second time.

Committee recommended to amend, by inserting, after the word "kind," in line ten, the words "as to freight of the same kind or class, from the same station and in the same direction."

RECESS.

Pending debate on this amendment, at twelve o'clock and twenty-seven minutes P. M., on motion of Mr. Kellogg, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

SECOND READING OF BILL—(RESUMED).

Consideration of committee amendments to section one of Assembly Bill No. 10 continued.

RECESS.

After debate, at three o'clock and five minutes P. M., on motion of Mr. Cross, the Senate took a recess for ten minutes.

REASSEMBLED.

At three o'clock and fifteen minutes P. M., the Senate reassembled, and the consideration of Assembly Bill No. 10 was resumed.

Mr. Johnson moved to amend the amendment reported by the committee, by striking out the following words: "from the same station and in the same direction."

After debate, the ayes and noes were demanded on the amendment to the amendment, by Messrs. Johnson, Foster, and Baldwin.

Roll called, and the amendment to the amendment lost by the following vote:

AYES—Messrs. Baldwin, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—15.

NOES—Messrs. Buck, Cox, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, and Wallis—21.

The question recurring on the adoption of the committee amendment, the ayes and noes were demanded by Messrs. Lynch, Cronan, and Cross.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Buck, Cox, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, and Wallis—22.

NOES—Messrs. Baldwin, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—15.

RECESS.

At five o'clock and thirty minutes P. M., Mr. Cross moved to take a recess until seven o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Messrs. Brooks, Kellogg, and Keating.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Buck, Cox, Cross, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Ryan, Spencer of Napa, Sullivan, Taylor, and Wolfskill—20.

NOES—Messrs. Brooks, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—18.

So ordered.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Senate reassembled. President Daggett in the chair.

Roll was called, and the following Senators answered to their names :

Messrs. Brooks, Buck, Cox, Cronan, Cross, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Lynch, Maddox, McCarthy, McClure, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Mr. Brooks moved to adjourn until two o'clock P. M. on Monday, April 28, 1884.

Ayes and noes demanded by Messrs. Reynolds, Maddox, and Cox.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON CONTINGENT EXPENSES AND MILEAGE.

SENATE CHAMBER, SACRAMENTO, April 25, 1884.

MR. PRESIDENT: Your Committee on Contingent Expenses and Mileage, to whom was referred the following, viz:

Resolved, That two hundred and ninety dollars be appropriated, out of the Contingent Fund of the Senate, to pay F. H. McAllister for transcribing testimony taken before the Judiciary Committee.

Have had the same under consideration, and recommend the adoption of the following:

Resolved, That the Controller of State be and is hereby authorized to draw his warrant upon the Contingent Fund of the Senate, in favor of F. H. McAllister, for the sum of two hundred and sixty-one dollars and twenty-five cents (\$261 25).

Respectfully submitted.

C. H. MADDOX, Chairman.

Adopted.

ADJOURNMENT.

The question recurring upon the motion to adjourn, the roll was called, and the motion adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, McClure, Perry, Reddy, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Buck, Cox, English, Filcher, Johnson, Lynch, Maddox, Murphy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—13.

Whereupon, the Senate was declared adjourned until Monday, April 28, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, April 28, 1884. }

The Senate met at two o'clock P. M., pursuant to adjournment.
President Daggett in the chair.
Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynne, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of Friday, April twenty-fifth, read and approved.

PETITIONS.

By Mr. Chandler: Petition from citizens of Sutter County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

INTRODUCTION OF BILLS.

The following bills were introduced, read by title, and referred to committees:

By Mr. Vrooman: Senate Bill No. 29—An Act to prevent discriminations and abuses by railroad corporations and other common carriers.

Referred to Judiciary Committee.

Also, Senate Bill No. 30—An Act to punish a disobedience of the orders of the Board of Railroad Commissioners.

Referred to Judiciary Committee.

SECOND READING OF BILLS.

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

CONSIDERATION OF COMMITTEE AMENDMENTS TO SECTION ONE.

Committee recommend to amend, by inserting, after the word "freight," in line eleven, of the printed bill, the words "of the same kind or class."

Ayes and noes demanded on the amendment, by Messrs. Lynch, Spencer of Stanislaus, and Ryan.

Roll was called, and the amendment adopted by the following vote :

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Dougherty, English, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Murphy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—26.

NOES—Messrs. Del Valle, Filcher, Foster, Lynch, Reddy, Spencer of Napa, Spencer of Stanislaus, and Sullivan—8.

Also, other committee amendments to section one adopted without division.

LEAVE OF ABSENCE.

Leave of absence for one day was granted to Mr. Johnson.

By consent of the Senate, Messrs. Reynolds, Langford, and Baldwin, were recorded as present at roll-call.

SECOND READING OF BILLS—(RESUMED).

Section two read second time.

Committee recommend to amend section two, by inserting, after the word "printed," on line three of the printed bill, the words "or written."

Adopted.

Committee recommend to amend section two, by striking out the word "between," on line four of the printed bill, and inserting, in lieu thereof, the words "from that particular station to."

Ayes and noes demanded on the adoption of the amendment, by Messrs. Sullivan, Reddy, and Lynch.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Murphy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—25.

NOES—Messrs. Baldwin, Del Valle, English, Filcher, Foster, Langford, Lynch, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, and Sullivan—12.

Committee recommend to amend, by inserting, after the word "printed," on line six of the printed bill, the words "or written."

Adopted.

Committee recommend to amend, by inserting, after the second word, "carload," on line fifteen of the printed bill, the words, "and a less rate per mile may be charged for long distances than is charged per mile for short distances for the same kind or class of freight."

Ayes and noes demanded on the adoption of the amendment, by Messrs. Reddy, Sullivan, and Spencer of Stanislaus.

After debate, the roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Dougherty, Filcher, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—27.

NOES—Messrs. Baldwin, Del Valle, English, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—11.

On motion of Mr. Cross, the Senate took up Assembly messages.

ASSEMBLY MESSAGE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 54—An Act making appropriation to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

G. W. HERBERT, Assistant Clerk.

Mr. Lynch moved to refer Assembly Bill No. 54 to Committee on Contingent Expenses and Mileage.

Ayes and noes demanded on the motion, by Messrs. Lynch, Taylor, and Baldwin.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Filcher, Kelly of San Francisco, Langford, Lynch, McClure, and Taylor—8.

NOES—Messrs. Brooks, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, Wallis, Whitney, and Wolfskill—29.

On motion of Mr. Perry, Assembly Bill No. 54 was read first time, and placed on file for second reading.

ADJOURNMENT.

At five o'clock and twenty minutes P. M., on motion of Mr. English, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Tuesday, April 29, 1884. }

The Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

• Quorum present.

• Journal of yesterday read and approved.

PETITION.

By Mr. Baldwin: Petition from citizens of San Joaquin County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

SECOND READING OF BILLS.

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

CONSIDERATION OF SECTION THREE.

Section three read second time.

Committee amendments thereto adopted without division.

Sections four, five, and six read second time.

Committee amendment to section six adopted without division.

Section seven read second time.

Committee recommend to amend section seven, by inserting, after the word "Attorney-General," in line five, of the printed bill, the words "provided no act of any agent of such corporation violating the provisions of this Act shall be construed to be the act of the corporation, unless authorized or ratified by the Board of Directors thereof."

After debate, the ayes and noes were demanded on the adoption of the amendment, by Messrs. Reddy, Filcher, and Baldwin.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Baldwin, Chandler, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—15.

Committee recommend to amend section seven, by inserting, after the word "shall," in line six of the printed bill, the word "knowingly."

Ayes and noes were demanded on the adoption of the amendment, by Messrs. Kellogg, Cronan, and Vrooman.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, English, Filcher, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Murphy, Nelson, Perry, Reynolds, Routier, Ryan, Vrooman, Wallis, and Whitney—26.

NOES—Messrs. Baldwin, Del Valle, Foster, Langford, Lynch, Reddy, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—10.

Committee recommend to amend section seven, by inserting, after the word "who," in line nine of the printed bill, the words "knowingly and willfully."

After debate, the ayes and noes were demanded, by Messrs. Baldwin, Filcher, and Reynolds.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Baldwin, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—16.

Committee recommend to amend section seven, by striking out all after the word "misdemeanor," on line four of the printed bill.

After debate, the ayes and noes were demanded on the adoption of the amendment, by Messrs. Reddy, Baldwin, and Spencer of Stanislaus.

Roll called, and the amendment adopted by the following vote :

AYES—Messrs. Brooks, Buck, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—22.

NOES—Messrs. Baldwin, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—16.

Section eight read second time.

Mr. Brooks moved to amend section four, by striking out all after the figure "4," on line one, and insert, in lieu thereof, the following: "No corporation organized under the laws of any other Government, State, or sovereignty, shall be permitted to operate any railroad or carry by rail within this State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this State."

At eleven o'clock and fifty-six minutes A. M., Mr. Spencer of Napa moved to take a recess until two o'clock P. M.

Ayes and noes demanded on the motion, by Messrs. Ryan, Spencer of Napa, and Perry.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Baldwin, Buck, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—17.

NOES—Messrs. Brooks, Chandler, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

Mr. English moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Reynolds, Maddox, and English.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Buck, Chandler, Del Valle, English, Filcher, Foster, Fraser, Johnson, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—21.

NOES—Messrs. Brooks, Cronan, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—16.

LEAVE OF ABSENCE.

Mr. Cross was given leave of absence until two o'clock P. M.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, Wallis, Whitney, and Wolfskill.

The Sergeant-at-Arms was furnished a list of absentees, and the doors closed.

Mr. Knight moved that further proceedings under the call of the Senate be dispensed with.

The ayes and noes were demanded on the motion, by Messrs. Ryan, Reddy, and Baldwin.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Knight, McCarthy, Ryan, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—14.

NOES—Messrs. Baldwin, Buck, Chandler, Del Valle, English, Filcher, Foster, Johnson, Kelley of Solano, Kellogg, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, Sullivan, and Wolfskill—23.

Mr. Kellogg moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Reddy, and Lynch.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, English, Kellogg, Langford, McClure, Reynolds, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—13.

NOES—Messrs. Cronan, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Lynch, Maddox, McCarthy, Murphy, Nelson, Perry, Reddy, Routier, Ryan, Spencer of Napa, Sullivan, and Wolfskill—24.

The Sergeant-at-Arms appeared, and announced that he was unable to find either of the absentees.

Mr. McCarthy moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded on the motion, by Messrs. Kellogg, Reynolds, and Ryan.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Dougherty, English, Fraser, Harrigan, Kelly of San Francisco, Kellogg, Knight, Maddox, McCarthy, McClure, Murphy, Ryan, Spencer of Napa, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Del Valle, Filcher, Foster, Johnson, Keating, Kelley of Solano, Langford, Lynch, Perry, Reddy, Reynolds, Routier, Sullivan, and Wolfskill—14.

A QUESTION OF PRIVILEGE.

Mr. McClure rose to a question of privilege, and referred to an article in the Stockton Herald, of April twenty-ninth, charging him with declaring that, with seven Republicans and fourteen Democrats, he would obstruct and prevent any legislation. He called attention of the Senate to the fact that he took no part in the debate in question, and could not possibly have made the statement imputed to him.

ADJOURNMENT.

At twelve o'clock and twenty-nine minutes P. M., Mr. English moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Lynch, English, and Filcher.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Del Valle, English, Filcher, Foster, Harrigan, Johnson, Keating, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—20.

NOES—Messrs. Chandler, Dougherty, Fraser, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—15.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, April 30, 1884. }

The Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buek, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Foster, Fraser, Fileher, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Lyneh, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Messrs. McClure and Cross.

EXPLANATION.

Mr. Murphy stated, in explanation of his absence yesterday, when the vote was taken on the first amendment to section seven of Assembly Bill No. 10, that he was paired with Mr. Maddox. He would have voted "aye;" Mr. Maddox would have voted "no."

PETITIONS.

By Mr. Reddy: Petition from certain citizens of Fresno County, praying for the passage of a law making license taxes uniform throughout the State.

Referred to Judiciary Committee.

By Mr. Chandler: Petition from certain citizens of Sutter County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

By Mr. Foster: Petition from certain citizens of Colusa County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 14—An Act to propose an amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution of the State of California, relative to the Railroad Commission.

ED. E. LEAKE, Chief Clerk.

Assembly Bill No. 14 referred to Committee on Constitutional Amendments.

SECOND READING OF BILLS.

On motion of Mr. Knight, Assembly Bill No. 54 was given preference on the file.

Assembly Bill No. 54—An Act making appropriation to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

Read second time, and placed on file for third reading.

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

CONSIDERATION OF AMENDMENTS.

Amendment offered by Mr. Brooks, to amend section four, by striking out all after the figure "4," on line one, and insert, in lieu thereof, the following: "No corporation organized under the laws of any other Government, State, or sovereignty, shall be permitted to operate any railroad or carry by rail within this State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this State."

Pending debate on this amendment, at twelve o'clock and fifteen minutes P. M., on motion of Mr. Brooks, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Buck, Chandler, Cox, Cronan, Del Valle, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, and Wallis.

Quorum present.

SECOND READING OF BILLS—(RESUMED).

Question being upon the amendment to Assembly Bill No. 10, offered by Mr. Brooks.

CALL OF THE SENATE.

Mr. Vrooman moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Reddy, Spencer of Napa, and Maddox.

Mr. Spencer of Napa granted leave of absence for half an hour.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Chandler, Cronan, Harrigan, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Nelson, Perry, Vrooman, Wallis, and Whitney—12.

NOES—Messrs. Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, and Taylor—16.

Mr. Kellogg moved to take a recess for ten minutes.

Lost.

The question recurring upon the adoption of the amendment, the ayes and noes were demanded by Messrs. Maddox, Taylor, and Filcher.

Pending debate on the amendment, on motion of Mr. Cox, the Senate took up Assembly messages.

ASSEMBLY MESSAGE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, adopted Assembly Concurrent Resolution No. 15—Relative to river and harbor appropriations made by the Congress of the United States for the Pacific Coast and remaining now unexpended.

G. W. HERBERT, Assistant Clerk.

Assembly Concurrent Resolution No. 15—Relative to river and harbor appropriations made by the Congress of the United States for the Pacific Coast and remaining now unexpended.

Adopted.

SECOND READING OF BILLS—(RESUMED).

Consideration of amendments to Assembly Bill No. 10.

After debate, the roll was called, with the following result :

AYES—Messrs. Brooks, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

Mr. Del Valle, who would have voted "no," being paired with Mr. Cross, who would have voted "aye."

Mr. English, who would have voted "no," being paired with Mr. McClure, who would have voted "aye."

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Whereupon, the amendment was declared adopted.

Mr. Filcher offered the following, as an amendment to section two: Amend section two, line fifteen, after the word "freight," as follows: "provided further, that nothing herein contained shall be construed to permit a less aggregate charge for the transportation of persons and property of the same class, in the same direction, for long distances, than is charged for like services for shorter distances."

Adopted.

Mr. Taylor offered the following amendment: Amend section one, on line seventeen, by inserting the words "the public and," after the word "to," so it shall read: "extended on like terms to the public and all connecting transportation lines."

Adopted.

Mr. Baldwin offered the following amendment: Amend amendment to section seven, by adding, after the word "thereof," line six, the following: "provided, however, a ratification or authorization shall be deemed to exist when such agent shall be continued in the employment of such corporation after knowledge of such violation."

After debate, the ayes and noes were demanded on the adoption of the amendment, by Messrs. Maddox, Reynolds, and Harrigan.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs. Baldwin, Buck, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, and Wolfskill—14.

NOES—Messrs. Brooks, Chandler, Cox, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, Murphy, Nelson, Perry, Routier, Ryan, Spencer of Napa, Taylor, Vrooman, Wallis, and Whitney—22.

Mr. Kellogg offered the following amendment: To amend section six, by striking out the words "divided among its stockholders," and to insert, in lieu thereof, the words "shall be paid into the State Treasury, and be apportioned to the School Fund."

Amendment withdrawn.

Mr. Kelley of Solano offered the following amendment: Amend section six, by striking out all after the word "corporation," in line one, and insert, in lieu thereof, the following: "Its property shall be sold, and the proceeds, after payment of its debts and liabilities, divided among its stockholders."

Pending debate on this amendment, at four o'clock and fifty-five minutes P. M., Mr. Vrooman moved to adjourn.

The ayes and noes were demanded on the motion, by Messrs. Del Valle, Reddy, and Baldwin.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Keating, Kelley of Solano, McCarthy, Murphy, Nelson, Perry, Routier, Sullivan, and Vrooman—9.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Maddox, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, Wallis, Whitney, and Wolfskill—29.

Consideration of amendments to Assembly Bill No. 10, resumed.

ADJOURNMENT.

Pending debate on amendment to section six, at five o'clock and twenty-two minutes P. M., Mr. Kellogg moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Foster, and Fraser.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cronan, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Murphy, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Maddox, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—16.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, May 1, 1884. }

The Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford,

Lynch, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

One day's leave of absence granted to Mr. McClure.

INTRODUCTION OF BILL.

The following bill was introduced, read by title, and referred to committee:

By Mr. Knight: Senate Bill No. 31—Amendment to the Constitution—An Act to amend section twenty-two, of article twelve, of the Constitution.

Referred to Committee on Constitutional Amendments.

THIRD READING OF BILLS.

Assembly Bill No. 54—An Act making appropriation to pay the expenses of the extra session of the Legislature, and other matters incidental thereto, of the State of California, during the thirty-fifth fiscal year.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Wallis, and Whitney—28.

NOES—Messrs. Taylor and Vrooman—2.

Title read and approved.

SECOND READING OF BILLS.

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

CONSIDERATION OF AMENDMENTS.

Question being upon the amendment offered by Mr. Kelley of Solano, to amend section six, by striking out all after the word "corporation," in line one, and insert, in lieu thereof, the following: "Its property shall be sold, and the proceeds, after payment of its debts and liabilities, divided among its stockholders."

Pending debate on this amendment, the hour having arrived, at twelve o'clock and thirty minutes P. M., the Senate took a recess.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.

President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Chandler, Cronan, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Vrooman, Wallis, and Wolfskill.

Quorum present.

CALL OF THE SENATE.

Mr. Del Valle moved a call of the Senate.

Carried.

Mr. Cox was granted leave of absence for the remainder of the day.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Wolfskill.

The Sergeant-at-Arms was furnished a list of absentees, and the doors closed.

The Sergeant-at-Arms appeared, and announced that Senators Cross and Perry were without, desiring admittance.

On motion, Senators Cross and Perry were admitted, and afterwards excused.

The Sergeant-at-Arms again appeared, and announced that Senators Spencer of Napa and Sullivan were without, desiring admittance.

On motion, Senators Spencer of Napa and Sullivan were admitted, and afterwards excused.

The Sergeant-at-Arms again appeared, and announced that Senator Whitney was without, desiring admittance.

On motion, Senator Whitney was admitted, and afterwards excused.

Mr. Maddox moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded by Messrs. English, Maddox, and Routier.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Buck, Chandler, Del Valle, English, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, Whitney, and Wolfskill—20.

NOES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Filcher, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Perry, Reddy, and Vrooman—18.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

The question being on the amendment to section six, offered by Mr. Kelley of Solano, ayes and noes were demanded by Messrs. Reddy, Sullivan, and Spencer of Stanislaus.

Roll called, with the following result:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Buck, Chandler, Del Valle, Filcher, Foster, Johnson, Langford,

Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

Mr. English, who would have voted "no," being paired with Mr. McClure, who would have voted "aye."

Mr. Fraser, who would have voted "aye," being paired with Mr. Cox, who would have voted "no."

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Whereupon, the amendment was declared adopted.

Mr. Knight offered the following amendment to section seven: Amend section seven, by inserting, after the word "company," on line seven of the printed bill, the words "or shipper, or person desiring to become such, or any person."

Ayes and noes demanded on the amendment, by Messrs. Filcher, Reynolds, and Brooks.

The roll was called, with the following result:

AYES—Messrs. Cronan, Dougherty, Harrigan, Keating, Kelley of Solano, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, and Whitney—13.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cross, Del Valle, Filcher, Foster, Fraser, Johnson, Kelly of San Francisco, Kellogg, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, and Wolfskill—24.

Lost.

Assembly Bill No. 10 read second time, amended, ordered engrossed, and to a third reading.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 29—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

Mr. Cross offered the following amendment to section one: Amend, by adding, after Committee Amendment No. 1, the words "whose property is devoted to or affected by a public use."

Ayes and noes were demanded on the motion, by Messrs. Reddy, Langford, and Wallis.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, Maddox, McCarthy, Murphy, Perry, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Wallis—26.

NOES—Messrs. Filcher, Foster, Johnson, Kelley of Solano, Langford, Lynch, Nelson, Reddy, Whitney, and Wolfskill—10.

Mr. Reddy moved to reconsider the vote whereby the committee amendment to section one, line thirteen, striking out the words "by an attorney to be named by him," was adopted.

Ayes and noes demanded on the motion, by Messrs. McCarthy, Spencer of Stanislaus, and Reynolds.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Del Valle, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kellogg, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—22.

NOES—Messrs. Cross, Dougherty, Harrigan, Kelley of Solano, McCarthy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—13.

Mr. Fraser, who would have voted "no," being paired with Mr. Cox, who would have voted "aye."

The question recurring upon the adoption of the committee amendment, as follows: To amend section one, by striking out, after the word "State," line thirteen of printed bill, the words "by an attorney to be named by him," and insert, in lieu thereof, the following: "who shall immediately notify the Attorney-General, who."

Ayes and noes demanded on the amendment, by Messrs. Filcher, Ryan, and Maddox.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Cross, Dougherty, Harrigan, Keating, Kelley of Solano, McCarthy, Nelson, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—13.

NOES—Messrs. Baldwin, Buck, Cronan, Del Valle, Filcher, Foster, Johnson, Kelly of San Francisco, Kellogg, Langford, Lynch, Maddox, Murphy, Perry, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—20.

Mr. Fraser, who would have voted "aye," being paired with Mr. Cox, who would have voted "no."

Committee amendment to section two lost.

Mr. Murphy offered the following amendment to section five: Amend line three, by inserting, after the word "companies," the words "or other corporations or companies, whose property is affected by or devoted to a public use."

Adopted.

Mr. Murphy moved to amend the committee amendment to the title, as follows: by inserting, after the word "corporation," the words "whose property is devoted to or affected by a public use."

Adopted.

Read second time, and other amendments of the committee to the bill adopted.

Mr. Kellogg offered a substitute for the whole bill, and moved to have the same printed, and further consideration of Assembly Bill No. 29 made the special order for to-morrow, at two o'clock P. M.

Ayes and noes were demanded by Messrs. Maddox, Reynolds, and Spencer of Napa.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Buck, Del Valle, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—16.

Mr. Johnson moved to make Senate Bill No. 3 the special order for to-morrow morning, immediately after the reading of the Journal.

Lost.

Mr. Murphy moved to make Senate Bill No. 3 the special order for Tuesday, May sixth, at two o'clock P. M.

Mr. Knight moved to amend, by making it the special order for to-morrow, at eleven o'clock A. M.

Mr. Knight withdrew his amendment.

RESOLUTION—(OUT OF ORDER).

By Mr. Filcher:

Resolved, That the Sergeant-at-Arms of the Senate be and he is hereby directed to furnish to the Sergeant-at-Arms of the Assembly, for the use of the members of the Assembly, two thou-

sand copies of the printed report of the testimony taken before the Judiciary Committee of the Senate.

Adopted.

ADJOURNMENT.

Pending debate on the motion to make Senate Bill No. 3 the special order for Tuesday, at two o'clock P. M., at four o'clock and thirty minutes P. M., Mr. Kellogg moved to adjourn.

Carried.

IN SENATE.

SENATE CHAMBER,
Friday, May 2, 1884. }

The Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross:

Resolved, That all committees are hereby instructed to report on Monday next all bills and resolutions now pending before them.

Adopted.

PETITIONS.

By Mr. Langford: Petition from certain citizens of Plymouth, Amador County, in relation to Assembly Bill No. 10.

Placed on file.

REPORT OF COMMITTEE.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, May 2, 1884.

MR. PRESIDENT: Your Committee on Engrossment, to whom was referred amended Assembly Bill No. 10—have carefully examined the same, and report it back correctly engrossed.

T. K. NELSON, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 53—An Act to amend section three thousand eight hundred and

twenty-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property.

Also, Assembly Bill No. 52—An Act to amend section three thousand six hundred and thirty-two of the Political Code, relating to revenue and taxation, and the powers and duties of Assessors.

Also, Assembly Bill No. 57—An Act making an appropriation to enable the Controller of State to investigate the accounts of the Departments of the State Government.

G. W. HERBERT, Assistant Clerk.

Assembly Bill No. 53 referred to Judiciary Committee.

Assembly Bill No. 52 referred to Committee on Revenue and Taxation.

Assembly Bill No. 57 referred to Judiciary Committee.

THIRD READING OF BILLS.

Assembly Bill No. 10—An Act to prevent discrimination and abuses by railroad corporations.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill—40.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 2, 1894.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Assembly Bill No. 14—"An Act proposing to amend sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution, in relation to the Railroad Commissioners"—have had the same under consideration, and report it back, with a recommendation that it do pass.

Also, Assembly Bill No. 37—"An Act to propose an amendment to article twelve of the Constitution, in relation to corporations and the establishing of maximum rates for transportation of passengers on railroads"—have had the same under consideration, and report it back, with a recommendation that it do pass.

Also, Senate Bill No. 15—"An Act amending section nine, of article thirteen, of the Constitution"—have had the same under consideration, and report it back, with a recommendation that it do pass as amended.

CLAY W. TAYLOR, Chairman.

FIRST READING OF BILLS—(OUT OF ORDER).

Mr. Del Valle moved that Assembly Bill No. 14 be taken up out of order, and read first time.

Carried.

Assembly Bill No. 14—"An Act proposing to amend sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution, in relation to the Railroad Commissioners."

Read first time, and, on motion of Mr. Del Valle, made the special order for Monday, at three o'clock P. M.

SECOND READING OF BILLS.

Senate Bill No. 3—An Act amending the Constitution.

Mr. Del Valle moved that the consideration of Senate Bill No. 3 be made the special order for Monday, at three o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Messrs. Brooks, Langford, and Ryan.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—23.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Vrooman, Wallis, and Whitney—16.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

Lost.

Mr. Kellogg moved to reconsider the vote whereby Senate Bill No. 3 was made the special order for Monday, at three o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Spencer of Napa, and Maddox.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kellogg, Knight, McCarthy, McClure, Nelson, Vrooman, Wallis, and Whitney—14.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Langford, Lynch, Maddox, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—26.

Mr. English stated that he was absent during the vote on Assembly Bill No. 10, and asked to have his vote recorded "aye."

So ordered.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 2, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 41—"An Act to provide for funding the indebtedness of counties in certain cases"—have had the same under consideration, and report it back, with a recommendation that it do pass.

CROSS, Chairman.

Mr. Cross moved that Assembly Bill No. 41 be taken up out of order, and read the second time.

Carried.

Assembly Bill No. 41—"An Act to provide for funding the indebtedness of counties in certain cases."

Read second time, and placed on file for third reading.

FIRST READING OF BILLS.

Assembly Bill No. 42—An Act prescribing the method of the valuation and assessment of franchises, roadways, roadbeds, rails, and

rolling stock of railroads, and prescribing the duties of the State Board of Equalization and Assessors in reference thereto.

Mr. Reddy moved a call of the Senate.

Lost.

Assembly Bill No. 42 read first time, and placed on file for second reading.

Assembly Bill No. 43—An Act relating to revenue and taxation, and the method of the collection thereof.

Read first time, and placed on file for second reading.

Assembly Concurrent Resolution No. 4—Relative to the creation of a Federal Commission of Marine Transportation.

Passage refused.

Assembly Concurrent Resolution No. 12—Relative to the removal of causes pending in the Courts of the State of California to the Federal Courts of the United States.

Ayes and noes demanded on the adoption, by Messrs. Sullivan, Reddy, and Filcher.

CALL OF THE SENATE.

Mr. Del Valle moved a call of the Senate.

Carried.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Mr. Del Valle moved that further proceedings under the call of the Senate be dispensed with.

Carried.

The roll being called on Assembly Concurrent Resolution No. 12, the same was adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Wallis, Whitney, and Wolfskill—38.

NOES—Mr. Vrooman—1.

Mr. Taylor moved that Senate Bill No. 15 be taken up out of order, and read first time.

So ordered.

Senate Bill No. 15—Amendment to the Constitution—To amend section nine, of article thirteen, of the Constitution of the State of California.

Read first time, and placed on file for second reading.

Mr. Taylor moved that Assembly Bill No. 37 be taken up out of order, and read first time.

So ordered.

Assembly Bill No. 37—An Act to propose an amendment to article twelve of the Constitution, in relation to corporations, by adding a new section thereto, to be known as section twenty-five, in relation to the establishment of maximum rates for passenger transportation on railroads. (Introduced on behalf of Committee on Corporations.)

Read first time, and placed on file for second reading.

At twelve o'clock M., Mr. Cross moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Mr. Murphy moved to amend, by taking a recess until two o'clock P. M.

LEAVE OF ABSENCE.

Mr. Chandler asked for leave of absence until Monday, at two o'clock P. M.

Granted.

The ayes and noes were demanded, on the motion of Mr. Murphy, by Messrs. Baldwin, Cross, and Reynolds.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lyneh, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

CALL OF THE SENATE.

Mr. Del Valle moved a call of the Senate.

Lost.

The question recurring on the motion of Mr. Cross to adjourn until Monday, at two o'clock and thirty minutes P. M., the ayes and noes were demanded by Messrs. Reynolds, Maddox, and Perry.

Mr. Ryan moved that the hour of recess be postponed until after the decision of the main question.

Ayes and noes demanded by Messrs. Reynolds, Maddox, and Perry.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Baldwin, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lyneh, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

RECESS.

The hour having arrived, at twelve o'clock and thirty minutes P. M., the Senate took a recess.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Buck, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

CALL OF THE SENATE.

Mr. McCarthy moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Cross, McCarthy, and Wallis.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Cox, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Murphy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Baldwin, Buck, Del Valle, English, Filcher, Foster, Johnson, Langford, Maddox, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—15.

Mr. Taylor moved that further proceedings under the call of the Senate be dispensed with.

The ayes and noes were demanded by Messrs. Maddox, Taylor, and Cross.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Buck, Cox, Cronan, Del Valle, English, Filcher, Johnson, Knight, Langford, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

NOES—Messrs. Cross, Dougherty, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

The question being upon the motion of Mr. Cross to adjourn until Monday, at two o'clock and thirty minutes P. M., the roll was called, and the motion lost by the following vote:

AYES—Messrs. Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

CALL OF THE SENATE.

Mr. Kellogg moved a call of the Senate.

Ayes and noes were demanded on the motion, by Messrs. Kellogg, Cross, and Nelson.

Roll called, with the following result:

AYES—Messrs. Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

Whereupon, the motion was declared lost.

Mr. Murphy moved to make Assembly Bill No. 29 the special order for Tuesday, at eleven o'clock A. M.

So ordered.

ADJOURNMENT.

At two o'clock and thirty minutes P. M., Mr. McCarthy moved to adjourn until Monday, at two o'clock and thirty minutes P. M.

Mr. Maddox moved to amend, by taking a recess until three o'clock and thirty minutes P. M.

The ayes and noes were demanded on the amendment of Mr. Maddox, by Messrs. Kellogg, McCarthy, and Fraser.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Filcher, Kellogg, Knight, Maddox, Spencer of Stanislaus, and Vrooman—6.
NOES—Messrs. Baldwin, Buck, Cox, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Langford, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Sullivan, Taylor, Wallis, Whitney, and Wolfskill—30.

The question recurring on the motion of Mr. McCarthy to adjourn until Monday, at two o'clock and thirty minutes P. M., the ayes and noes were demanded by Messrs. Reddy, Del Valle, and Maddox.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Buck, Dougherty, English, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, McClure, Murphy, Nelson, Perry, Routier, Ryan, Spencer of Napa, Taylor, Vrooman, and Whitney—21.

NOES—Messrs. Baldwin, Cox, Cross, Del Valle, Filcher, Foster, Johnson, Langford, Maddox, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, Wallis, and Wolfskill—15.

On the foregoing question, Mr. Cronan was pured with Mr. Lynch—Mr. Cronan would have voted "aye," and Mr. Lynch would have voted "no."

Whereupon, the Senate adjourned until Monday, at two o'clock and thirty minutes P. M.

IN SENATE.

SENATE CHAMBER,
 Monday, May 5, 1884. }

The Senate met at two o'clock and thirty minutes P. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Taylor, Vrooman, Wallis, and Whitney.

Quorum present.

Journal of Friday, May second, read and approved.

PETITION.

By Mr. Filcher: Petition from certain citizens of Nevada County, praying for the passage of Assembly Bill No. 10, and other legislation.

Placed on file.

REPORTS OF COMMITTEES.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 5, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 8—"An Act to amend section two hundred and eighty-three, article one, chapter one, title one, part four, of the Civil Code, being the general provisions applicable to all corporations"—have

had the same under consideration, and report it back, with a recommendation that it do not pass.

Also, Assembly Bill No. 9—"An Act to amend section five hundred and twenty-six of an Act entitled 'An Act to establish a Code of Civil Procedure,' relative to the issuance of injunctions"—and recommend that it pass as amended.

Also, Assembly Bill No. 26—"An Act to amend section three thousand seven hundred and seventy-nine of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to the collection of property taxes"—and recommend that it do not pass.

Also, Assembly Bill No. 53—"An Act to amend section three thousand eight hundred and twenty-four of an Act entitled 'An Act to establish a Political Code,' approved March 12, 1872, relating to revenue and taxation, and the manner of the collection of taxes by the Assessor on certain personal property"—and recommend that it do pass.

Also, Assembly Bill No. 57—Entitled "An Act making an appropriation to enable the Controller of State to investigate the accounts of the departments of the State Government"—and recommend that it do not pass; for the reason that its provisions are not within the Governor's call.

Also, Assembly Concurrent Resolution No. 13—"Relative to the tax suits pending or on appeal in the Supreme Court of the United States from the United States Circuit Court for the District of California"—and recommend that it do not pass.

Also, Senate Bill No. 2—"An Act to amend the Political Code by adding thereto a section, to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof"—and report the same back, without recommendation.

Also, Senate Bill No. 29—"An Act to prevent discriminations and abuses by railroad corporations and other common carriers," and report the same back, without recommendation.

Also, Senate Bill No. 30—"An Act to punish a disobedience of the orders of the Board of Railroad Commissioners"—and report the same back, without recommendation.

CROSS, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, May 5, 1884.

MR. PRESIDENT: Your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 9—"Relative to the location of the eastern boundary line of the State of California"—have had the same under consideration, and recommend its passage.

Also, Senate Concurrent Resolution No. 2—"Relative to the Morrison tariff bill, now pending before Congress"—and report the same back, without recommendation.

Also, Resolution No. ——"Relating to the letter of Governor Stoneman on the political aspects of the presidential campaign," etc.—and recommend that it do not pass.

BALDWIN, Chairman.

The last named resolution was withdrawn by Mr. Kellogg, with consent of the Senate.

Assembly Concurrent Resolution No. 9—"Relative to the location of the eastern boundary line of the State of California."

Adopted.

The Committee on Constitutional Amendments granted further time to report.

THIRD READING OF BILLS.

Assembly Bill No. 41—An Act to provide for funding the indebtedness of counties in certain cases.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—38.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 42—An Act prescribing the method of the valuation and assessment of franchises, roadways, roadbeds, rails,

and rolling stock of railroads, and prescribing the duties of the State Board of Equalization and Assessors in reference thereto.

Mr. Brooks moved that Assembly Bill No. 42 be made a special order for Wednesday, May seventh, at two o'clock p. m.

Ayes and noes demanded on the motion, by Messrs. Reddy, Vrooman, and Baldwin.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—17.

SPECIAL ORDER.

Assembly Bill No. 14—An Act to propose an amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution of the State of California, relative to the Railroad Commission.

Assembly Bill No. 14 read second time.

Mr. Knight offered the following, as a substitute for Assembly Bill No. 14:

AN ACT TO AMEND SECTION TWENTY-TWO, OF ARTICLE TWELVE, OF THE CONSTITUTION.

The Legislature of the State of California, at its twenty-fifth (extra) session, commencing on the twenty-fourth day of March, A. D. one thousand eight hundred and eighty-four, two thirds of all the members elected to each of the two Houses of said Legislature voting in favor thereof, hereby proposes that section twenty-two, of article twelve, of the Constitution of the State of California, be amended so as to read as follows:

Section 22. All railroads devoted to public use are classified according to the length of line or lines thereof, operated within the State, as follows:

Class A. Roads not exceeding twenty-five miles in length of line or lines.

Class B. Roads exceeding twenty-five but not exceeding fifty miles in length of line or lines.

Class C. Roads exceeding fifty but not exceeding one hundred miles in length of line or lines.

Class D. Roads exceeding one hundred but not exceeding three hundred miles in length of line or lines.

Class E. Roads exceeding three hundred miles in length of line or lines.

In computing the length of a road, to determine its class, all roads owned or operated under lease by one corporation, association, partnership, or person, shall be treated as a unit. It shall be unlawful for any corporation, association, partnership, or person, operating any railroad devoted to public use, to charge more than ten cents per mile for each passenger, and fifteen cents per mile for each ton of freight transported on their roads. All gross earnings of such railroads arising from transportation of persons and property taken up and put down within the State, between the first day of January, A. D. eighteen hundred and eighty-five, and the thirty-first day of December, A. D. eighteen hundred and ninety-four, in excess of an annual average rate per mile hereinafter designated, shall be paid by the corporations, associations, partnerships, and persons, operating such railroads, into the Treasury of the State for the benefit of the School Fund. Such payments shall commence on the first day of July, A. D. eighteen hundred and eighty-six, and shall continue to be made on the corresponding day of each year thereafter. The annual average rate per mile, as aforesaid, is designated as follows:

Class A. For passengers, ten cents per passenger; for freight, fifteen cents per ton.

Class B. For passengers, eight cents per passenger; for freight, ten cents per ton.

Class C. For passengers, six cents per passenger; for freight, eight cents per ton.

Class D. For passengers, four cents per passenger; for freight, six cents per ton.

Class E. For passengers, two and one half cents per passenger; for freight, three cents per ton.

Commencing January first, A. D. eighteen hundred and ninety-five, and continuing thereafter, the annual average rates per mile above designated shall be severally reduced by one fourth of one cent per passenger, and one half of one cent per ton for freight. This State shall be divided into three districts, as nearly equal in population as practicable, in each of which one Railroad Commissioner shall be elected by the qualified electors thereof at the regular gubernatorial elections, whose salaries shall be fixed by law, and whose term of office shall be four years, commencing on the first Monday after the first day of January next succeeding their election. Said Commissioners shall be qualified electors of this State and of the district from which they are elected, and shall not be interested in any railroad devoted to public use as owner,

stockholder, creditor, agent, attorney, or employé. The act of a majority of said Commissioners shall be deemed the act of said Commission. Said Commissioners shall have the power, and it shall be their duty, to annually designate the roads which fall in each of the classes as aforesaid, and to ascertain and declare, upon an examination of books, accounts, papers, and such other evidence as they may deem proper, the annual average rate per mile of the gross earnings of the several railroads within this State, arising from the transportation of persons and property taken up and put down within the State, and the excess thereof, if any, over the average annual rate hereinabove designated and allowed. This duty shall be performed in each year, commencing in the year A. D. eighteen hundred and eighty-five, on or before the twentieth day of June; and the amount of such excess, if any, announced to the several corporations, associations, partnerships, and persons affected thereby. Said Commissioners shall also have power, and it shall be their duty, to examine the books, records, and papers of all corporations, associations, partnerships, and persons operating railroads, and other transportation companies, in this State, and for this purpose they shall have power to issue subpoenas, and all other necessary processes, and to hear and determine complaints against corporations, associations, partnerships, and persons operating railroads, and other transportation companies; to send for persons and papers; to administer oaths, take testimony, and punish for contempt of their orders and processes, in the same manner and to the same extent as Courts of record, and enforce their decisions, and correct abuses through the medium of the Courts. Said Commissioners shall prescribe a uniform system of accounts to be kept by all such corporations, associations, partnerships, and persons, and companies. Any association, partnership, or persons operating a railroad, or other transportation company, which shall fail to keep their accounts in accordance with the system prescribed by the Commission, shall be fined not exceeding twenty thousand dollars for each offense; and every officer, agent, or employé of any such corporation, association, partnership, person, or company, who shall in any manner violate the provisions of this section, shall be fined not exceeding five thousand dollars, or be imprisoned in the county jail not exceeding one year. Said Commission shall report to the Governor, annually, their proceedings, and such other facts as may be deemed important. Nothing in this section shall prevent persons from maintaining actions against any of such corporations, associations, partnerships, persons, or companies. The Legislature shall have power, by a two-thirds vote of all the members elected to each House, to remove any one or more of said Commissioners from office, for dereliction of duty, or corruption, or incompetency; and whenever, from any cause, a vacancy in office shall occur in said Commission, the Governor shall fill the same by the appointment of a qualified person thereto, who shall hold office for the residue of the unexpired term, and until his successor shall have been elected and qualified. Nothing in this section shall be construed to affect the tenure or term of any officer now in office. The excess of earnings over the annual average, as herein provided, when ascertained and declared, shall become a lien upon the property of the corporation, association, or person from whom the same shall be due and payable; such excess and lien, if not paid when due, may be collected and enforced in a civil action to be instituted by the Attorney-General in the name of the people of the State of California. This section shall be deemed and taken to be self-executing, and no legislation shall be necessary to enforce its provisions.

Mr. Del Vallé raised the point of order, that the substitute was not germane to the subject, and was, in fact, an attempt to substitute another bill now pending before the Senate for the one under consideration.

The President ruled that the substitute offered was admissible.

Mr. Del Valle appealed from the decision of the Chair.

Upon the question, shall the decision of the Chair stand as the judgment of the Senate, the ayes and noes were demanded by Messrs. Sullivan, Reddy, and Fraser.

After debate, the roll was called, and the decision of the Chair reversed by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Murphy, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—20.

Mr. Cross moved to amend the bill under consideration, by striking out from lines eight to fifty-six, inclusive, and insert, in lieu thereof, the following:

Section 22. All railroads devoted to public use are classified according to the length of line or lines thereof, operated within this State, as follows:

Class 1. Roads not exceeding twenty-five miles in length of line or lines.

Class 2. Roads exceeding twenty-five but not exceeding fifty miles in length of line or lines.

Class 3. Roads exceeding fifty but not exceeding one hundred miles in length of line or lines.

Class 4. Roads exceeding one hundred but not exceeding three hundred miles in length of line or lines.

Class 5. Roads exceeding three hundred miles in length of line or lines.

In computing the length of a road, to determine its class, all roads owned or operated under lease by one corporation, association, partnership, or person, shall be treated as a unit. It shall be unlawful for any corporation, association, partnership, or person, operating any railroad devoted to public use, to charge more than ten cents per mile for each passenger, and fifteen cents per mile for each ton of freight transported on their roads. All gross earnings of such railroads arising from transportation of persons and property taken up and put down within the State, between the first day of January, A. D. eighteen hundred and eighty-five, and the thirty-first day of December, A. D. eighteen hundred and ninety-four, in excess of an annual average rate per mile hereinafter designated, shall be paid by the corporations, associations, partnerships, and persons, operating such railroads, into the Treasury of the State for the benefit of the School Fund. Such payments shall commence on the first day of July, A. D. eighteen hundred and eighty-six, and shall continue to be made on the corresponding day of each year thereafter. The annual average rate per mile, as aforesaid, is designated as follows:

Class 1. For passengers, ten cents per passenger; for freight, fifteen cents per ton.

Class 2. For passengers, eight cents per passenger; for freight, ten cents per ton.

Class 3. For passengers, six cents per passenger; for freight, eight cents per ton.

Class 4. For passengers, four cents per passenger; for freight, six cents per ton.

Class 5. For passengers, two and one half cents per passenger; for freight, three cents per ton.

Commencing January first, A. D. eighteen hundred and ninety-five, and continuing thereafter, the annual average rates per mile above designated shall be severally reduced by one fourth of one cent per passenger, and one half of one cent per ton for freight. This State shall be divided into three districts, as nearly equal in population as practicable, in each of which one Railroad Commissioner shall be elected by the qualified electors thereof at the regular gubernatorial elections, whose salaries shall be fixed by law, and whose term of office shall be four years, commencing on the first Monday after the first day of January next succeeding their election. Said Commissioners shall be qualified electors of this State and of the district from which they are elected, and shall not be interested in any railroad devoted to public use as owner, stockholder, creditor, agent, attorney, or employé. The act of a majority of said Commissioners shall be deemed the act of said Commission. Said Commissioners shall have the power, and it shall be their duty, to annually designate the roads which fall in each of the classes as aforesaid, and to ascertain and declare, upon an examination of books, accounts, papers, and such other evidence as they may deem proper, the annual average rate per mile of the gross earnings of the several railroads within this State, arising from the transportation of persons and property taken up and put down within the State, and the excess thereof, if any, over the average annual rate hereinabove designated and allowed. This duty shall be performed in each year, commencing in the year A. D. eighteen hundred and eighty-five, on or before the twentieth day of June; and the amount of such excess, if any, announced to the several corporations, associations, partnerships, and persons affected thereby. Said Commissioners shall also have power, and it shall be their duty, to examine the books, records, and papers of all corporations, associations, partnerships, and persons operating railroads, and other transportation companies, in this State, and for this purpose they shall have power to issue subpoenas, and all other necessary processes, and to hear and determine complaints against corporations, associations, partnerships, and persons operating railroads, and other transportation companies; to send for persons and papers; to administer oaths, take testimony, and punish for contempt of their orders and processes, in the same manner and to the same extent as Courts of record, and enforce their decisions, and correct abuses through the medium of the Courts. Said Commissioners shall prescribe a uniform system of accounts to be kept by all such corporations, associations, partnerships, and persons, and companies. Any association, partnership, or persons operating a railroad, or other transportation company, which shall fail to keep their accounts in accordance with the system prescribed by the Commission, shall be fined not exceeding twenty thousand dollars for each offense, and every officer, agent, or employé of any such corporation, association, partnership, person, or company who shall in any manner violate the provisions of this section, shall be fined not exceeding five thousand dollars, or be imprisoned in the county jail not exceeding one year. Said Commission shall report to the Governor, annually, their proceedings, and such other facts as may be deemed important. Nothing in this section shall prevent persons from maintaining actions against any of such corporations, associations, partnerships, persons, or companies. The Legislature shall have power, by a two-thirds vote of all the members elected to each House, to remove any one or more of said Commissioners from office, for dereliction of duty, or corruption, or incompetency; and whenever, from any cause, a vacancy in office shall occur in said Commission, the Governor shall fill the same by the appointment of a qualified person thereto, who shall hold office for the residue of the unexpired term, and until his successor shall have been elected and qualified. Nothing in this section shall be construed to affect the tenure or term of any officer now in office. The excess of earnings over the annual

average, as herein provided, when ascertained and declared, shall become a lien upon the property of the corporation, association, or person from whom the same shall be due and payable; such excess and lien, if not paid when due, may be collected and enforced in a civil action to be instituted by the Attorney-General in the name of the people of the State of California. This section shall be deemed and taken to be self-executing, and no legislation shall be necessary to enforce its provisions.

On motion of Mr. Del Valle, the special order for three o'clock and thirty minutes p. m.—consideration of Senate Bill No. 3—was continued until to-morrow, at ten o'clock and thirty minutes a. m.

On motion of Mr. Del Valle, further consideration of Assembly Bill No. 14 was continued until to-morrow, immediately after the reading of the Journal.

RESOLUTION—(OUT OF ORDER).

By Mr. Cross: Senate Concurrent Resolution No. 2:

WHEREAS, There is now pending before Congress a bill to organize the Territory of Alaska, which bill has passed the Senate; now, therefore,

Resolved, That our Representatives be requested to use all reasonable means to secure the early passage of said bill.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Cross: Senate Bill No. 32—An amendment to section four, of article thirteen, of the Constitution.

Read by title and referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At four o'clock and fifty minutes p. m., on motion of Mr. Sullivan, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Tuesday, May 6, 1884. }

Senate met at ten o'clock a. m., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

The President called the attention of the Senate to the fact that the Journal Clerk of the Senate had been absent for several days, without excuse.

Mr. Reddy moved that the Secretary be instructed to notify the Journal Clerk to appear for duty to-morrow morning, or his office would be declared vacant.

So ordered.

SPECIAL ORDER.

Assembly Bill No. 14—An Act to propose an amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution of the State of California, relative to the Railroad Commission.

Consideration of amendment offered by Mr. Cross.

With consent of the Senate, Mr. Cross withdrew his amendment.

Mr. McCarthy moved to amend section one of the bill, by striking out, after the word "the," in line nine of the printed bill, page one, the words "next general election," and insert, in lieu thereof, the words "general election to be held in eighteen hundred and eighty-six."

Pending debate on this amendment, at twelve o'clock and five minutes P. M., on motion of Mr. Brooks, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill.

Consideration of special order continued.

Question being upon the amendment to Assembly Bill No. 14, offered by Mr. McCarthy.

Pending debate on this amendment, on motion of Mr. Cross, the Senate took up Assembly messages.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 3—Relative to a bill now pending in Congress, providing a territorial government for Alaska.

JULIUS REIMER, Assistant Clerk.

Senate Concurrent Resolution No. 3 ordered to enrollment.

On motion of Mr. Del Valle, the special order set for eleven o'clock A. M. to-day—the consideration of Assembly Bill No. 29—was continued until eleven o'clock and thirty minutes A. M., to-morrow.

At four o'clock and thirty-five minutes P. M., Mr. Del Valle moved to take a recess until seven o'clock and thirty minutes P. M.

Mr. Brooks moved to adjourn.

Ayes and noes demanded on the motion to adjourn, by Messrs. Reynolds, Wolfskill, and Langford.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, McCarthy, McClure, Nelson, Routier, Ryan, Vrooman, Wallis, and Whitney—17.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, English, Foster, Johnson, Knight, Langford, Lynch, Maddox, Perry, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

The question recurring on the motion to take a recess, the ayes and noes were demanded by Messrs. McCarthy, Brooks, and Fraser.

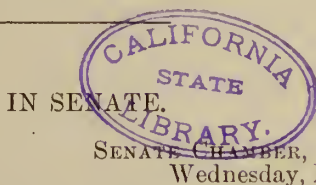
The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

NOES—Messrs. Brooks, Cox, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, Wallis, and Whitney—22.

ADJOURNMENT.

At four o'clock and forty-four minutes P. M., on motion of Mr. McClure, the Senate adjourned.



Wednesday, May 7, 1884. }

Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

LEAVE OF ABSENCE.

Mr. Routier was granted indefinite leave of absence.

SPECIAL ORDER.

Assembly Bill No. 14—An Act to propose an amendment to sections twenty-two, twenty-three, and twenty-four, of article twelve, of the Constitution of the State of California, relative to the Railroad Commission.

The question being upon the amendment offered by Mr. McCarthy, to amend section one of the bill, by striking out, after the word "the," in line nine of the printed bill, page one, the words "next

general election," and insert, in lieu thereof, the words "general election to be held in eighteen hundred and eighty-six."

Pending debate on this amendment, Mr. Baldwin moved a call of the Senate.

So ordered.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

The Sergeant-at-Arms was furnished a list of absentees, and the doors were closed.

The Sergeant-at-Arms appeared, and announced that Messrs. McCarthy and Cronan were without, desiring admittance.

On motion, Messrs. McCarthy and Cronan were admitted, and afterwards excused.

On motion of Mr. Keating, further proceedings under the call of the Senate were dispensed with.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 5, 1884.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 1—Entitled "An Act to amend sections three thousand six hundred and forty-four and three thousand six hundred and forty-five of the Political Code, relating to the taxation of ships and vessels."

Also, Senate Bill No. 6—"An Act to provide additional revenue for the State, by taxing the incomes of corporations and others engaged in certain classes of business."

Also, Senate Bill No. 8—"An Act prescribing the method of valuation and assessment of franchises, roadways, roadbeds, etc., and prescribing duties of State Board of Equalization."

Also, Senate Bill No. 11—"An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes."

Have had the same under consideration, and respectfully report the same back without recommendation.

Also, Senate Bill No. 26—Entitled "An Act to amend sections six hundred and thirty-two and six hundred and thirty-three of the Penal Code of California"—report the same back, with substitute, and recommend passage of substitute.

MURPHY, Chairman.

RECESS.

At ten o'clock and fifty minutes A. M., on motion of Mr. Kelley of Solano, the Senate took a recess for five minutes.

REASSEMBLED.

At ten o'clock and fifty-five minutes A. M., the Senate reassembled.

Pending debate on the proposed amendment to Assembly Bill No. 14, the hour having arrived, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.
President Daggett in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Stanislaus, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Knight:

Resolved by the Senate, the Assembly concurring, That this Legislature adjourn sine die at twelve o'clock noon, on Saturday, May tenth, eighteen hundred and eighty-four.

Mr. Del Valle moved that the resolution be referred to the Judiciary Committee, and on a division of the Senate, by a vote of twenty ayes to eight noes, it was so ordered.

By Mr. Cross:

Resolved, That the Secretary of the Senate be instructed to telegraph Senate Concurrent Resolution No. 3 to our Representatives in Congress.

Adopted.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 7, 1884.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that they have examined and found correctly enrolled Senate Concurrent Resolution No. 3, and that the same has been placed in the hands of the Governor.

J. J. HARRIGAN, Chairman.

FIRST READING OF BILL—(OUT OF ORDER).

Mr. Brooks moved that Senate Bill No. 2 be taken up out of order, and read first time.

Ayes and noes demanded on the motion, by Messrs. Cronan, Brooks, and Perry.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Reddy, Reynolds, Spencer of Stanislaus, and Wolfskill—13.

Senate Bill No. 2—An Act to amend the Political Code by adding thereto a section to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof.

Read first time and placed on file for second reading.

SPECIAL ORDER—(RESUMED).

Consideration of Assembly Bill No. 14, and amendments thereto.

LEAVE OF ABSENCE.

Mr. Cross was granted leave of absence for the remainder of the afternoon.

CALL OF THE SENATE.

Mr. Maddox moved a call of the Senate.

So ordered.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

On motion of Mr. Del Valle, further proceedings under the call of the Senate were dispensed with.

SPECIAL ORDER—(RESUMED).

Consideration of amendment to Assembly Bill No. 14.

After debate, the ayes and noes were demanded on the amendment offered by Mr. McCarthy, by Messrs. Fraser, Langford, and Speneer of Stanislaus.

Roll called, with the following result:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

Mr. Chandler was paired with Mr. Routier. Mr. Chandler would have voted "no," and Mr. Routier would have voted "aye."

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Whereupon, the amendment was declared adopted.

Mr. Kellogg offered the following amendment: Amend section twenty-three, by striking out all after the figures "23," in line fifty-seven, page three, printed bill, and insert, in lieu thereof, the following: "The term of office of the present Railroad Commissioners, and each of them, shall not be abridged or affected by the adoption of these amendments to article twelve of the Constitution."

Ayes and noes demanded on the amendment, by Messrs. Reynolds, Baldwin, and Lynch.

Roll called, with the following result:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

Mr. Chandler was paired with Mr. Routier. Mr. Chandler would have voted "no," and Mr. Routier would have voted "aye."

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Whereupon, the amendment was declared adopted.

Upon the question, shall the bill be engrossed and read the third time, the ayes and noes were demanded by Messrs. Baldwin, Fraser, and Wolfskill.

After debate, the roll was called, and the bill refused engrossment, by the following vote:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, English, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Nelson, Ryan, Spencer of Napa, and Wallis—17.

NOES—Messrs. Buck, Cox, Del Valle, Filcher, Foster, Kellogg, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Perry, Reddy, Reynolds, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill—21.

Mr. Chandler was paired with Mr. Routier. Mr. Chandler would have voted "aye," and Mr. Routier would have voted "no."

On motion of Mr. Del Valle, the special order for eleven o'clock and thirty minutes A. M. to-day, was continued until eleven o'clock A. M. to-morrow.

Mr. Sullivan gave notice that on the following day he would move for a reconsideration of the vote whereby Assembly Bill No. 14 was refused engrossment.

ADJOURNMENT.

At five o'clock and thirty minutes P. M., on motion of Mr. Filcher, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, May 8, 1884. }

Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

LEAVE OF ABSENCE.

One day's leave of absence was granted to Mr. Cox.
Journal of yesterday read and approved.

REPORT OF STANDING COMMITTEE.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bills No. 5, 9, 10, 12, 13, 14, 17, 19, 20, 21, 25, and 27—Proposing amendments to article thirteen of the Constitution.

Also, Senate Bills No. 23, 24, and 31—Proposing amendments to article twelve of the Constitution.

Have had the same under consideration, and report them back, without recommendation.

CLAY W. TAYLOR, Chairman.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on the sixth day of May, passed Assembly Bill No. 47—An Act to propose an amendment to article twelve of the Constitution of the State of California, in relation to corporations, by adding a new section thereto, to be known as section twenty-six, in relation to the establishment of maximum rates for freight transportation on railroads.

G. W. HERBERT, Assistant Clerk.

Assembly Bill No. 47 referred to Committee on Constitutional Amendments.

SECOND READING OF BILLS.

Assembly Bill No. 43—An Act relating to revenue and taxation, and the method of the collection thereof.

Read second time.

Mr. McClure offered the following amendment: Amend section four by inserting, between the words "collection" and "of," the following words: "of taxes or," on line ninety-nine, page seven.

Adopted.

Also, the following amendment: Amend section four by inserting, between the words "for" and "local," on line ninety-nine, page seven, the following words: "or on account of."

Adopted.

Assembly Bill No. 43, as amended, ordered engrossed, and to a third reading.

Mr. Murphy moved to take up Assembly Bill No. 42 out of order.
Lost.

Assembly Bill No. 37—An Act to propose an amendment to article twelve of the Constitution, in relation to corporations, by adding a new section thereto, to be known as section twenty-five, in relation to the establishment of maximum rates for passenger transportation on railroads.

Read second time, and passed on file temporarily.

Senate Bill No. 15—Amendment to the Constitution—To amend section nine, of article thirteen, of the Constitution of the State of California.

Read second time, and amendments of the committee adopted.

Mr. Cross moved to amend, by striking out all after the word "roll," on line twenty-five of the printed bill, down to and including the word "credits," on line twenty-six, and insert, in lieu thereof, the following: "Provided that no Board of Equalization shall raise any mortgage, deed of trust, contract, or other obligation, by which a debt is secured, money, or solvent credits, above its face value."

Adopted.

Senate Bill No. 15, as amended, ordered engrossed, and to a third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Del Valle: Senate Concurrent Resolution No. 4:

Resolved by the Senate, the Assembly concurring, That whereas, a bill has passed the House of Representatives pensioning the veterans of the Mexican war, most of whom are now, from old

age and infirmity, in a condition to command the sympathy of all good citizens; and whereas, said bill is now pending in the United States Senate; therefore, be it

Resolved, That our Senators are hereby instructed to vote for said bill, and to use all honorable efforts to facilitate its progress in becoming a law.

Adopted.

SECOND READING OF BILLS—(RESUMED).

Senate Bill No. 2—An Act to amend the Political Code, by adding thereto a section to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof.

Upon the question, shall this bill be read the second time, the ayes and noes were demanded by Messrs. Brooks, Cronan, and Harrigan.

The roll was called, and the bill refused second reading by the following vote:

AYES—Messrs. Baldwin, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, and Wallis—17.

NOES—Messrs. Brooks, Buck, Chandler, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Whitney, and Wolfskill—19.

Mr. Brooks gave notice that, on the following day, he should move for a reconsideration of the vote whereby Senate Bill No. 2 was refused a second reading.

SPECIAL ORDER—ELEVEN O'CLOCK A. M.

Assembly Bill No. 29—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

The question being upon the substitute offered by Mr. Kellogg, with consent of the Senate, Mr. Kellogg withdrew his substitute.

Mr. Cross moved to amend section one, line three, of the printed bill, by striking out the word "receipts," on line three, and inserting, in lieu thereof, the word "earnings."

Upon the adoption of this amendment the ayes and noes were demanded by Messrs. Reddy, Maddox, and Spencer of Napa.

The roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—19.

NOES—Messrs. Baldwin, Buck, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—17.

Mr. Chandler was paired with Mr. Routier. Mr. Chandler would have voted "no," and Mr. Routier would have voted "aye."

Mr. Cross moved to further amend section one, by inserting, after the word "company," on line three of the printed bill, the words "within the State."

Ayes and noes demanded on the adoption of the amendment, by Messrs. Reddy, Foster, and Ryan.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, and Wallis—18.

NOES—Messrs. Baldwin, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Whitney, and Wolfskill—17.

Mr. Chandler was paired with Mr. Routier. Mr. Chandler would have voted "no," and Mr. Routier would have voted "aye."

CALL OF THE SENATE.

Mr. Maddox moved a call of the Senate.

The ayes and noes were demanded on the motion, by Messrs. Maddox, Reynolds, and Cronan.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Del Valle, English, Filcher, Foster, Johnson, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—17.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—18.

Mr. Cross offered the following amendment to section one: Amend section one, line eleven, by striking out the word "receipts," and inserting, in lieu thereof, the word "earnings."

RECESS.

Pending debate on this amendment, at eleven o'clock and thirty-five minutes A. M., on motion of Mr. Del Valle, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M. the Senate reassembled.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Stanislaus, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

LEAVE OF ABSENCE.

Mr. Kelley of Solano was granted leave of absence for balance of the day.

SPECIAL ORDER—(RESUMED).

Assembly Bill No. 29.

Question being upon the amendment offered by Mr. Cross.

Ayes and noes demanded on the amendment, by Messrs. Reddy, Spencer of Stanislaus, and Reynolds.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—17.

NOES—Messrs. Baldwin, Buck, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Stanislaus, Taylor, and Wolfskill—16.

Mr. Cross also offered the following: Amend section one, on line seven of the printed bill, by striking out the word "receipts" and inserting, in lieu thereof, the word "earnings."

Ayes and noes demanded on the adoption of the amendment, by Messrs. Reddy, Maddox, and Sullivan.

Roll called, with the following result:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, Wallis, and Whitney—18.

NOES—Messrs. Baldwin, Buck, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—18.

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative.

Whereupon, the amendment was declared adopted.

Mr. Cross also offered the following: Amend section six to read as follows:

"Section 6. No Court within the State shall have power, by injunction or otherwise, to interfere with, hinder, or delay the collection of any tax laid under the form of law, except upon a showing that the same property has been taxed more than once for the same purpose, and in no case except upon payment to the Tax Collector, or other person entitled to receive the same, or into Court, a sum equal to the amount of one of the taxes so laid upon the property in question; provided, that in all cases actions may be maintained against the Tax Collector, or other person to whom they may have been paid, to recover illegal taxes paid under protest. All such actions must be commenced within thirty days after such illegal taxes have been paid. It shall be the duty of the Courts in which such actions may be brought to try them, upon the request of either party, in advance of all other civil actions, and such taxes so paid under protest shall be retained by the Tax Collector, or other person to whom they may have been paid, until such actions shall have been finally decided."

Mr. Murphy moved to postpone further consideration of Assembly Bill No. 29 until to-morrow morning, immediately after the reading of the Journal.

After debate, the ayes and noes were demanded on the motion, by Messrs. Reynolds, Ryan, and Brooks.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Del Vallo, English, Filcher, Foster, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Maddox, McCarthy, Murphy, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, and Taylor—22.

NOES—Messrs. Cronan, Cross, Dougherty, Fraser, Harrigan, Kellogg, Lynch, McClure, Nelson, Sullivan, Vrooman, Wallis, Whitney, and Wolfskill—14.

So ordered.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 28—Entitled "An Act to prevent the waiver or compromise of rights to revenue"—

have had the same under consideration, and respectfully report the same back and recommend that it do pass.

MURPHY, Chairman.

Mr. Cross moved to take up Assembly Bill No. 28 out of order.
So ordered.

FIRST READING OF BILL—(OUT OF ORDER).

Senate Bill No. 28—"An Act to prevent the waiver or compromise of rights of revenue."

Read first time, and placed on file for second reading.

ADJOURNMENT.

At three o'clock and fourteen minutes P. M., Mr. Brooks moved to adjourn.

The ayes and noes were demanded on the motion, by Messrs. Reynolds, Murphy, and Spencer of Stanislaus.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Maddox, McCarthy, McClure, Nelson, Perry, Ryan, Taylor, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Baldwin, Buck, Chandler, Del Valle, English, Filcher, Foster, Fraser, Johnson, Langford, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, May 9, 1884. }

Senate met at ten o'clock A. M., pursuant to adjournment.

Roll called, and the following Senators responded to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

SPECIAL ORDER.

Assembly Bill No. 29—An Act to propose an amendment to section four, article thirteen, of the Constitution of the State of California, relative to the assessment of mortgages.

Consideration of amendment to section six proposed by Mr. Cross.
Mr. Del Valle moved to take up Assembly messages.

After debate, the ayes and noes were demanded on the motion, by Messrs. Sullivan, Reddy, and Reynolds.

Roll called, with the following result:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—20.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

The vote being a tie, the President exercised his constitutional right, and voted in the negative.

Whereupon, the motion was declared lost.

SPECIAL ORDER—(RESUMED).

Consideration of amendments to Assembly Bill No. 29.

Mr. Spencer of Napa offered the following, as a substitute for the amendment to section six offered by Mr. Cross: "A corporation is a creature of the law, having certain powers and duties of a natural person. Being created by the law, it may continue for any length of time which the law prescribes; but a refusal of any corporation to pay to the State, county, city and county, municipality, or district, the taxes levied and assessed upon its property in accordance with the laws of this State, shall destroy its corporate existence, and it shall be no longer entitled to protection under the laws of this State, or to the processes of any Court of this State in any action for its protection, or to maintain any action or suit in any such Court; and such refusal may be pleaded in abatement by the defendant in any suit brought by such corporation, and the Attorney-General of the State shall institute, and prosecute to judgment, proceedings to obtain a judicial forfeiture of its charter."

Mr. McClure offered an amendment to the substitute, which was ruled out of order by the President.

Mr. Kellogg moved that the amendment be read for information.

The ayes and noes were demanded on the motion, by Messrs. Perry, Del Valle, and Harrigan.

After debate, the roll was called, and the reading of the proposed amendment refused by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cox, Cronan, Cross, Dougherty, English, Foster, Fraser, Keating, Kellogg, McCarthy, Taylor, Wallis, and Wolfskill—16.

NOES—Messrs. Buck, Del Valle, Filcher, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, and Whitney—24.

The question being upon the adoption of the substitute for the amendment offered by Mr. Spencer of Napa, the ayes and noes were demanded by Messrs. Ryan, McClure, and Reynolds.

After debate, the roll was called, and the substitute rejected by the following vote:

AYES—Messrs. Chandler, Cox, English, Langford, Lynch, Perry, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—12.

NOES—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Maddox, McCarthy, McClure, Murphy, Nelson, Reddy, Routier, Ryan, Vrooman, Wallis, and Whitney—28.

Upon the question of the adoption of the amendment offered by Mr. Cross, the ayes and noes were demanded by Messrs. McClure, Brooks, and Kelley of Solano.

Mr. Murphy moved a call of the House.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Murphy, and Baldwin.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

NOES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—21.

Mr. Maddox moved to take a recess until one o'clock and thirty minutes P. M.

Ayes and noes demanded on the motion, by Messrs. English, Maddox, and Spencer of Napa.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, May 9, 1884.

MR. PRESIDENT: Your Committee on Engrossment have carefully examined amended Assembly Bill No. 43, and Senate Bill No. 15, and find them correctly engrossed.

T. K. NELSON, Chairman.

SPECIAL ORDER—(RESUMED).

After debate, the roll was called upon the adoption of the amendment offered by Mr. Cross, and the same adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—20.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

Mr. Cross also offered the following amendment: Amend section five, by inserting, between the words "paid" and "all," on line two, page three, the following words: "whether under protest, as hereinafter provided, or without protest."

The ayes and noes were demanded upon the adoption of the amendment, by Messrs. Ryan, Fraser, and Cross.

Pending the vote on this amendment, the hour having arrived, the Senate took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Senate reassembled.

Hon. R. F. Del Valle, President pro tem., in the chair.

The roll was called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, Wallis, and Whitney.

Quorum present.

LEAVE OF ABSENCE.

Mr. Wolfskill was granted leave of absence for one day.

SPECIAL ORDER—(RESUMED).

The question being upon the adoption of the last amendment offered by Mr. Cross to Assembly Bill No. 29, the roll was called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cronan, Cross, Del Valle, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—23.

NOES—Messrs. Buck, Cox, English, Filcher, Foster, Johnson, Langford, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, and Sullivan—14.

Mr. McClure offered the following amendment to section six, as amended: "Provided that nothing in this Act contained shall apply to proceedings had for collections, or to resist the collection of taxes, or assessments imposed for or on account of local improvements, other than for school purposes."

Ayes and noes demanded on the amendment, by Messrs. Reddy, Brooks, and Perry.

Roll called, and the amendment adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cross, Del Valle, Dougherty, English, Filcher, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Knight, Lynch, McClure, Murphy, Ryan, Sullivan, Vrooman, Wallis, and Whitney—23.

NOES—Messrs. Cox, Cronan, Foster, Kelley of Solano, Kellogg, Langford, McCarthy, Nelson, Perry, Reddy, Reynolds, Routier, Spencer of Napa, and Spencer of Stanislaus—14.

Assembly Bill No. 29, as amended, ordered engrossed, and to a third reading.

Mr. Murphy moved to take up Assembly messages.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Spencer of Stanislaus, and Reynolds.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Fraser, Johnson, Langford, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, and Sullivan—18.

NOES—Messrs. Brooks, Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—19.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Kellogg: Senate Concurrent Resolution No. 6:

Resolved by the Senate, the Assembly concurring, That this Legislature adjourn sine die at two o'clock P. M. on Monday, May 12, 1884.

Mr. Cross moved that the resolution be referred to the Judiciary Committee.

Ayes and noes demanded by Messrs. Harrigan, Kellogg, and Reynolds.

Roll called, with the following result:

AYES—Messrs. Baldwin, Brooks, Buck, Cox, Cronan, Cross, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, McClure, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Vrooman, Wallis, and Whitney—28.

NOES—Messrs. Chandler, English, Kellogg, Langford, Lynch, Murphy, Nelson, Perry, and Sullivan—9.

So ordered.

By Mr. Spencer of Napa:

Resolved, That T. McGann, Mail Carrier of the Senate, be and he is hereby allowed one dollar per day for extra work from the commencement of the session, for cartage of the mail to and from the Post Office and the Senate Chamber, and the Controller of State is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Mr. Filcher moved to refer to Committee on Contingent Expenses.
Lost.

The question recurring upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Filcher, Maddox, and Harrigan.

Mr. Cross moved to lay the resolution on the table.

The ayes and noes were demanded on the motion, by Messrs. Baldwin, Filcher, and Fraser.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Baldwin, Chandler, Cross, English, Filcher, Maddox, Reynolds, Ryan, and Spencer of Stanislaus—9.

NOES—Messrs. Brooks, Cronan, Del Valle, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, McCarthy, McClure, Nelson, Reddy, Routier, Spencer of Napa, Sullivan, Vrooman, Wallis, and Whitney—22.

Question recurring upon the adoption of the resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Del Valle, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Maddox, McCarthy, McClure, Nelson, Perry, Reddy, Routier, Spencer of Napa, Sullivan, Vrooman, Wallis, and Whitney—24.

NOES—Messrs. Baldwin, Chandler, English, Filcher, Langford, Murphy, Reynolds, Ryan, and Spencer of Stanislaus—9.

Mr. Maddox gave notice that, on the following day, he should move for a reconsideration of the vote whereby this resolution was adopted.

THIRD READING OF BILL—(OUT OF ORDER).

Mr. Sullivan moved to take up Senate Bill No. 15 out of order.
Carried.

Senate Bill No. 15—Amendment to the Constitution—To amend section nine, of article thirteen, of the Constitution of the State of California.

Read third time, and temporarily passed on file.
President Daggett in the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Del Valle:

WHEREAS, At all previous sessions the Postmistress of the Senate has been allowed a Page; and whereas, no Page has been appointed by this body, and the Postmistress has performed the duties of said Page; therefore, be it

Resolved, That the Controller be authorized and directed to draw his warrant in favor of Mrs. J. V. David, the Postmistress of the Senate, for the sum of seventy-five dollars for such services.

Ayes and noes demanded on the adoption of the resolution, by Messrs. Perry, Cronan, and Harrigan.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Brooks, Buck, Cronan, Del Valle, Dougherty, Foster, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Reddy, Routier, Spencer of Napa, Sullivan, Taylor, Vrooman, Wallis, and Whitney—23.

NOES—Messrs. Baldwin, Chandler, Cox, English, Filcher, Fraser, Langford, Lynch, Murphy, Reynolds, and Spencer of Stanislaus—11.

Mr. Brooks moved to reconsider the vote whereby Senate Bill No. 2 was refused a second reading.

Mr. Reddy moved to lay the motion on the table.

Ayes and noes demanded on the motion to lay on the table, by Messrs. Brooks, Vrooman, and Kelley of Solano.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Buck, Chandler, Cox, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Whitney—17.

NOES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, and Wallis—19.

The question recurring upon the original motion, to reconsider, the ayes and noes were demanded by Messrs. Brooks, Kelly of San Francisco, and Routier.

Roll was called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, and Wallis—19.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Kelley of Solano, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Whitney—13.

So ordered.

Upon the question, shall this bill be read the second time, the ayes and noes were demanded by Messrs. Brooks, Langford, and Perry.

Roll was called, with the following result:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Taylor, Vrooman, and Wallis—19.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Fraser, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Whitney—19.

The vote being a tie, the President exercised his constitutional right, and voted in the affirmative, and the bill was ordered read the second time.

Senate Bill No. 2—An Act to amend the Political Code by adding thereto a section, to be known as section three thousand three hundred and eighty-two, relating to the powers of Boards of Supervisors to impose license taxes and provide for the collection thereof.

Read second time.

Upon the question, shall the bill be engrossed and read the third time, the ayes and noes were demanded by Messrs. Chandler, Fraser, and Brooks.

The roll was called, and the bill refused engrossment by the following vote:

AYES—Messrs. Brooks, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Knight, McCarthy, Nelson, Routier, and Ryan—11.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Fraser, Johnson, Kelley of Solano, Kellogg, Langford, Lynch, Maddox, McClure, Murphy, Perry, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, and Whitney—26.

On motion of Mr. Sullivan, the Senate resumed consideration of Senate Bill No. 15.

Mr. Cross moved to refer Senate Bill No. 15 to the Chairman of the Committee on Constitutional Amendments, with instructions to amend, by inserting on line nine of the printed bill, after the word "State," the words "as the same existed in eighteen hundred and seventy-nine," and to report forthwith.

Carried.

REPORT OF SPECIAL COMMITTEE—(OUT OF ORDER).

By Mr. Taylor, Chairman of the Committee on Constitutional Amendments:

Amend Senate Bill No. 15 by inserting, on line nine, after the word "State," the words "as the same existed in eighteen hundred and seventy-nine," so it shall read:

"A State Board of Equalization, consisting of one member from each Congressional District in this State, as the same existed in eighteen hundred and seventy-nine, shall be elected by the qualified electors of their respective districts."

Report adopted.

Senate Bill No. 15, as amended, ordered reengrossed.

Mr. Knight moved to take up Senate Bill No. 20 out of order.

Ayes and noes demanded on the motion, by Messrs. Knight, Harrigan, and Whitney.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Cronan, Cross, Del Valle, Dougherty, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Sullivan, Vrooman, Wallis, and Whitney—29.

NOES—Messrs. Chandler, Cox, Langford, Lynch, Maddox, Murphy, Spencer of Stanislaus, and Taylor—8.

Senate Bill No. 20—An Act to amend sections one, four, seven, eight, and ten, of article thirteen, of the Constitution of the State of California.

Read first time.

On motion of Mr. Knight, further consideration of Senate Bill No. 20 was made a special order for to-morrow, immediately after reading of the Journal.

So ordered.

Mr. Cross moved to take up Senate Bill No. 28 out of order.

Ayes and noes were demanded on the motion, by Senators Reddy, Kelly of San Francisco, and Reynolds.

Roll called, and the motion carried by the following vote:

Ayes—Messrs. Baldwin, Brooks, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Maddox, McCarthy, McClure, Murphy, Nelson, Reynolds, Routier, Ryan, Spencer of Napa, Sullivan, Taylor, Vrooman, and Whitney—32.

Noes—Messrs. Cox, Lynch, Reddy, and Spencer of Stanislaus—4.

Senate Bill No. 28—An Act to prevent the waiver or compromise of rights of revenue.

Read second time.

Mr. Cross moved to amend as follows: Amend section one by inserting the words "county or," at the end of line one of printed bill.

Adopted.

Also, the following: Amend section two by inserting, on line two of the printed bill, after the first word "any," the words "county or."

Adopted.

Also, the following: Amend section two, line three, of the printed bill, by inserting, after the word "State," the word "county."

Adopted.

Mr. Spencer of Napa offered the following as a substitute for the bill under consideration:

Section 1. It shall be unlawful for any officer, attorney, or other person, in any way engaged in the collection of revenue due to the State of California, or to any county, city and county, or municipality thereof, to collect or receive, or to consent to the collection or receipt, directly or indirectly, from any taxpayer, of a less amount, when the amount due, or appearing to be due, upon the assessment roll, by such taxpayer, for taxes, together with such penalties, interest, costs, and other charges as may by law have accrued thereon.

Sec. 2. Any Supervisor, Tax Collector, Treasurer, attorney, or other officer, who shall consent to any compromise, judgment, or other proceeding whereby, directly or indirectly, a less amount shall be received, recovered, or collected from any taxpayer than the full amount due by him, or appearing upon the assessment roll to be so due for taxes, penalty, interest, costs, and other charges provided by law, shall be guilty of a felony and punished accordingly.

Sec. 3. In all actions now pending, or which may hereafter be brought in any Superior Court of the State for the collection of delinquent taxes, the attorney of record who shall have signed the complaint in such action, or his lawful successor, shall, as long as said action remain in said Superior Court, have the sole and exclusive management and control thereof, and of all proceedings therein, subject to the provisions of this Act.

Sec. 4. Whenever any action for the recovery of delinquent taxes has been or shall hereafter be appealed from any Superior Court of this State, or has been or shall hereafter be transferred to any Federal Court, it shall be the duty of the Governor of the State of California to appoint an attorney to appear and represent the plaintiff in said action in said Supreme Court, or in said Federal Court; and the attorney so appointed shall, from the time of his appointment, have the sole and exclusive management and control of said action, and of all proceedings therein, and shall alone have the power to act for and represent the plaintiff in said action in all proceedings therein, and in all appeals therein taken, subject to the provisions of this Act; provided, that whenever an attorney shall be appointed by the Governor, as aforesaid, any amount recovered or paid in any such action for counsel or attorneys' fees shall be divided equally between said attorney and the attorney who had charge of the action in the Superior Court.

Sec. 5. In all actions which may hereafter be appealed or transferred as herein provided, it shall be the duty of the Clerk of the Court from which said appeal or transfer is taken, forthwith to notify the Governor of said appeal or transfer. The appointment of an attorney, as provided in the preceding section, shall be made within ten days after the Governor is so notified; and, in all actions already so appealed or transferred, said appointment shall be made within ten days after the passage of this Act.

Sec. 6. In all actions for the collection of revenue, transferred as aforesaid to any Federal Court, wherein judgment has been rendered the defendant, or judgment, by consent or otherwise, has been rendered for less than the amount claimed in the complaint to be due for taxes, penalties, interests, costs, and other charges provided by law, it shall be the duty of the attorney appointed, as aforesaid, and full power and authority is hereby granted to said attorney in that behalf, to take all proper legal steps, and institute all proper legal proceedings to have the said judgment opened, set aside, amended, or reversed.

Sec. 7. In all actions now pending for the collection of delinquent taxes under statutes providing for the payment in such actions of such sum as counsel fees as the Court may determine to be reasonable and just, there shall be collected ten per cent as counsel fees; and if any tax now delinquent, under any statute which does not provide for the collection of interest upon delinquent taxes, shall remain delinquent for the period of ten days after the passage of this Act, there shall be collected, in addition to said tax and the penalties, costs, and other charges thereon provided by law, interest at the rate of two per cent per month from the time when said tax first became delinquent.

Sec. 8. Whenever any county in this State, by its Board of Supervisors, District Attorney, or any other officer, has entered into any compromise or agreement with any railroad corporation, or has consented, or assumed to consent, to any judgment or proceeding, whereby, directly or indirectly, a less amount has been received for taxes than the amount due, or appearing upon the assessment roll to be due, by said corporation for taxes, together with penalties, interest, costs, and other charges, as provided by law, it shall be the duty of the District Attorney of such county, within thirty days after the passage of this Act, to institute an action against said corporation to collect the amount due by it for such delinquent taxes, with interest, penalties, costs, and other charges provided by law, as if no such compromise had ever been made or attempted; and the compromise aforesaid, and the payment of money thereunder, shall not be pleadable in bar, and shall in no way operate to prevent the prosecution of such action. Said action shall be brought, and shall proceed as if no such compromise or payment had been made, except that the defendant may in his answer set up and plead the payment so made in such compromise, and the amount thereof shall thereupon be credited to the defendant as a payment on account as of the date on which the same was paid.

Sec. 9. Payment of all moneys recovered under the provisions of this Act must be made to the State Treasurer, upon the order of the Controller, as other moneys are required to be paid into the Treasury. Immediately after such payment the Controller must notify the Auditor and Treasurer respectively of each county, and city and county, that such payment has been made, and the amount thereof to which each county, and city and county, interested, is entitled. The State's portion of such moneys must be distributed by the Treasurer to each fund entitled thereto, except the amount reserved for costs and counsel or attorneys' fees, which must be placed to the credit of the General Fund, and the portion belonging to the counties, and cities and counties, must be placed in a fund known as the "Railway Tax Fund," to the credit of each county, and city and county, entitled thereto. When any such moneys are placed in the "Railway Tax Fund" to the credit of a county, or city and county, the Controller, at the next settlement with the Controller by the Treasurer of such county, or city and county, must draw and deliver to such Treasurer his warrant upon the State Treasurer for the amount in the fund to the credit of such county, or city and county; and the Controller shall draw his warrant on the State Treasurer, in favor of the attorney or attorneys entitled thereto, for the amount received and paid for counsel or attorneys' fees, in the proportion to which such attorneys are entitled under the provisions of this Act.

Sec. 10. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of ten thousand dollars for the purpose of carrying out the provisions of this Act; said sum, or so much thereof as may be necessary, to be expended for the payment of actual costs and expenses of suit under the direction of the Governor and Controller; provided, that no portion of said sum shall in any case be applied to the payment of counsel or attorneys' fees.

Sec. 11. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

Mr. Spencer of Napa moved to make further consideration of Senate Bill No. 28 a special order for to-morrow, at eleven o'clock A. M. Ayes and noes demanded on the motion, by Messrs. McClure, Murphy, and Reynolds.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Fileher, Foster, Fraser, Harrigan, Johnson, Keating, Langford, Maddox, Murphy, Nelson, Perry, Reddy, Reynolds, Spencer of Napa, and Spencer of Stanislaus—23.

NOES—Messrs. Brooks, Cross, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, McCarthy, McClure, Routier, Ryan, Sullivan, Vrooman, Wallis, and Whitney—15.

So ordered.

BILLS OUT OF ORDER.

Mr. McClure moved to take up Senate Bill No. 21, out of order.
Carried.

Senate Bill No. 21—An Act to amend article thirteen of the Constitution of the State of California, relating to revenue.

Read first time.

Mr. McClure moved to make Senate Bill No. 21 the special order for to-morrow, at two o'clock P. M.

So ordered.

Mr. Del Valle moved to take up Assembly Bill No. 42 out of order.

Ayes and noes demanded on the motion, by Messrs. Reddy, Baldwin, and Lynch.

Roll called, with the following result:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—19.

NOES—Messrs. Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Vrooman, Wallis, and Whitney—17.

Twenty-one votes being required, the motion was declared lost.

Mr. Del Valle moved to take up Assembly messages out of order.

Carried.

ASSEMBLY MESSAGES.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 45—An Act to amend section three thousand six hundred and seventy-four of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the powers and duties of County Boards of Equalization.

JULIUS REIMER, Assistant Clerk.

Assembly Bill No. 45 placed on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Senate Concurrent Resolution No. 4—Relative to instructing our Senators to support the Mexican War Pension Bill.

JULIUS REIMER, Assistant Clerk.

Senate Concurrent Resolution No. 4 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Concurrent Resolution No. 18—Relative to declaring the twenty-ninth day of August, A. D. eighteen hundred and eighty-four, a public holiday, as a mark of respect to the memory of Junipero Serra.

JULIUS REIMER, Assistant Clerk.

Assembly Concurrent Resolution No. 18 placed on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that after considering the Senate amendments to Assembly Bill No. 10—"An Act to prevent discrimination and abuses by railroad corporations," the Assembly concurred in all of said amendments except the following:

1. In section one, line nine: "as to freight of the same kind or class, from the same station and in the same direction."
2. In section one, lines fourteen, fifteen, and sixteen: "facilities similar to those in use January first, eighteen hundred and eighty-four, and sufficient for the accommodation of the public, and all connecting transportation lines."
3. In section two, line four: "from that particular station."

4. In section two, line thirteen: "and a less rate per mile may be charged for long distances than is charged per mile for short distances for the same kind or class of freight."

5. In section two, line fifteen: "provided further, that nothing herein contained shall be construed to permit a less aggregate charge for the transportation of persons and property of the same class, in the same direction, for long distances, than is charged for like services for shorter distances."

6. In section four, lines one, two, three, and four: "no corporation organized under the laws of any other Government, State, or sovereignty shall be permitted to operate any railroad or carry by rail within this State on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this State."

7. In section six, lines two and three: "its property shall be sold, and the proceeds, after the payment of its debts and liabilities, divided among its stockholders."

8. In section seven, lines four, five, and six: "provided, no act of any agent of such corporation violating the provisions of this Act shall be construed to be the act of the corporation, unless authorized or ratified by the Board of Directors thereof."

9. In section seven, line fifteen, striking out, after the word "misdemeanor," the following: "shall be punished by imprisonment for not less than thirty days nor more than six months."

The Senate is respectfully requested to recede from these amendments.

JULIUS REIMER, Assistant Clerk.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed Assembly Bill No. 61—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

JULIUS REIMER, Assistant Clerk.

Mr. Cross moved to take up Assembly Bill No. 61 out of order.
Carried.

Assembly Bill No. 61—An Act to regulate the vocation of fishing, and to provide therefrom revenue for the support of the government of the State.

Read first time.

Mr. Cross withdrew Senate Bill No. 26, with consent of the Senate.

At four o'clock and fifty minutes p. m., Mr. Kellogg moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Spencer of Napa, Vrooman, and Reynolds.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kellogg, Knight, McCarthy, McClure, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—17.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Johnson, Kelly of San Francisco, Kelley of Solano, Langford, Lynch, Maddox, Murphy, Nelson, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—22.

On motion of Mr. Del Valle, the Senate took up Assembly Concurrent Resolution No. 18.

Assembly Concurrent Resolution No. 18—Relative to declaring the twenty-ninth day of August, A. D. 1884, a public holiday, as a mark of respect to the memory of Junipero Serra.

Ayes and noes demanded on the adoption of the resolution, by Messrs. Baldwin, Fraser, and Reddy.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Whitney—33.

NOES—Messrs. Kellogg, Perry, Vrooman, and Wallis—4.

ADJOURNMENT.

At five o'clock p. m., Mr. Vrooman moved to adjourn.

Ayes and noes demanded by Messrs. Del Valle, Reddy, and Spencer of Napa.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, Wallis, and Whitney—21.

NOES—Messrs. Baldwin, Buck, Cox, Del Valle, English, Filcher, Foster, Johnson, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—18.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, May 10, 1884. }

Senate met at ten o'clock a. m., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Murphy, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney.

Quorum present.

Journal of yesterday read and approved.

By consent of the Senate, Mr. Spencer of Napa was given permission to have the following appear on the Journal as supplemental to the substitute offered by him yesterday to the amendment to Assembly Bill No. 29:

"Provided, that in all cases actions may be maintained against the Tax Collector, or other person, after such corporation shall have first paid its taxes, regularly assessed against it, to recover the same. Provided further, all said actions must be commenced within thirty days after such taxes have been paid. It shall be the duty of the Courts in which such actions may be brought, to try them, upon the request of either party, in advance of other civil actions; and such taxes so paid shall be retained by the Tax Collector, or other person to whom they may have been paid, until such actions shall have been finally decided."

LEAVE OF ABSENCE.

Mr. McClure was granted indefinite leave of absence.

Leave of absence for one day granted to Messrs. Baldwin and Wolfskill.

Leave of absence from eleven o'clock a. m., for balance of the day, granted to Mr. Filcher.

On motion of Mr. Knight, the special order for immediately after the reading of the Journal was temporarily postponed.

Mr. Knight moved to take up Senate Bill No. 15.

Carried.

PASSAGE OF BILL.

Senate Bill No. 15—Amendment to the Constitution—To amend section nine, of article thirteen, of the Constitution of the State of California.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Brooks, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Maddox, McCarthy, McClure, Murphy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney—33.

NOES—Mr. Perry—1.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 20—An Act to amend sections one, four, seven, eight, and ten, of article thirteen, of the Constitution of the State of California.

Read second time.

Mr. Murphy moved to amend, by striking out the word "exceed" on line sixty-eight of printed bill, section ten, and insert the words "be less than."

Pending debate on the amendment, Mr. McClure moved a call of the Senate.

Carried.

CALL OF THE SENATE.

The roll was called, and the following Senators answered to their names:

Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Maddox, McCarthy, McClure, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney.

Excused—Messrs. Baldwin, Filcher, and Wolfskill.

The Sergeant-at-Arms was furnished a list of absentees, and the doors closed.

The Sergeant-at-Arms appeared, and announced that Senator Nelson was without, desiring admittance.

On motion, Senator Nelson was admitted, and afterwards excused.

Mr. Del Valle moved that further proceedings under the call of the Senate be dispensed with.

The ayes and noes were demanded on the motion, by Messrs. Taylor, Cronan, and Del Valle.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Buck, Cox, Del Valle, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Lynch, Murphy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—15.

NOES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, English, Foster, Fraser, Harrigan, Keating, Maddox, McCarthy, McClure, Nelson, Perry, Reddy, Routier, Ryan, Vrooman, and Whitney—20.

Mr. Taylor moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded on the motion, by Messrs. Taylor, Maddox, and McCarthy.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Brooks, Buck, Cox, Del Valle, Foster, Johnson, Knight, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—15.

NOES—Messrs. Chandler, Cronan, Cross, Dougherty, English, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Maddox, McCarthy, McClure, Nelson, Perry, Routier, Ryan, Vrooman, and Whitney—20.

Mr. Sullivan moved that further proceedings under the call of the Senate be dispensed with.

Ayes and noes demanded on the motion, by Messrs. Sullivan, Johnson, and Reddy.

Roll called, and the motion carried by the following vote :

AYES—Messrs. Brooks, Buck, Cox, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Lynch, Maddox, McClure, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney—30.

NOES—Messrs. Chandler, Cronan, and McCarthy—3.

So ordered.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, May 10, 1884.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to whom was referred Senate Bill No. 32—"An Act proposing an amendment to section four, article thirteen, of the Constitution"—have had the same under consideration, and report it back without recommendation.

Also, Assembly Bill No. 47—"An Act proposing that a new section be added to article twelve of the Constitution, to be known as section twenty-six"—have had the same under consideration, and report it back without recommendation.

CLAY W. TAYLOR, Chairman.

SPECIAL ORDER—(RESUMED).

Consideration of Senate Bill No. 20.

Mr. Knight moved that further consideration of Senate Bill No. 20 be postponed until Monday, May twelfth, immediately after the reading of the Journal.

The ayes and noes were demanded on the motion, by Messrs. Del Valle, Knight, and Ryan.

The roll was called, and the motion carried by the following vote :

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, McCarthy, Nelson, Routier, Ryan, Vrooman, and Whitney—17.

NOES—Messrs. Buck, Chandler, Cox, Del Valle, Foster, Johnson, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Taylor—15.

Mr. McClure was paired with Mr. Baldwin. Mr. McClure would have voted "aye." Mr. Baldwin would have voted "no."

Mr. Perry was paired with Mr. Langford. Mr. Perry would have voted "aye." Mr. Langford would have voted "no."

Mr. Cross asked leave to introduce the following resolution out of order :

Resolved, That at twelve o'clock and thirty minutes to-day, the Senate adjourn until Monday next, at two o'clock and thirty minutes p. m.

Upon the question, shall the rules be suspended to permit the introduction of this resolution, the ayes and noes were demanded by Messrs. Del Valle, Spencer of Stanislaus, and Fraser.

Roll called, with the following result:

AYES—Messrs. Cross, Dougherty, Fraser, Harrigan, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Nelson, Perry, Routier, Ryan, and Whitney—13.

NOES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Del Valle, English, Foster, Johnson, Keating, Lynch, Maddox, McCarthy, McClure, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Vrooman—22.

So ordered.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes A. M., Mr. Knight moved to adjourn until Monday, May 12, 1884, at three o'clock p. m.

Ayes and noes demanded on the motion, by Messrs. Spencer of Stanislaus, Kelley of Solano, and Reynolds.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Chandler, Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, Lynch, Maddox, McCarthy, McClure, Nelson, Perry, Routier, Taylor, Vrooman, and Whitney—21.

NOES—Messrs. Buck, Cox, Del Valle, English, Foster, Johnson, Kelley of Solano, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, and Sullivan—13.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, May 12, 1884. }

Senate met at three o'clock p. m., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names:

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, McCarthy, Murphy, Nelson, Perry, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Whitney.

Quorum present.

Journal of Saturday read and approved.

Mr. Murphy moved to take up Assembly message relating to adjournment.

Ayes and noes demanded on the motion, by Messrs. Kelley of Solano, Whitney, and McCarthy.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Buck, Chandler, Cox, Del Valle, English, Filcher, Johnson, Kellogg, Langford, Lynch, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—19.

NOES—Messrs. Cronan, Cross, Dougherty, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, and Whitney—16.

Mr. Baldwin was paired with Mr. McClure. Mr. Baldwin would have voted "aye," and Mr. McClure would have voted "no."

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following: Assembly Concurrent Resolution No.—Relative to the adjournment of the two Houses sine die on Tuesday, May thirteenth, at twelve o'clock M.

JULIUS REIMER, Assistant Clerk.

Question being upon the adoption of the resolution, the ayes and noes were demanded by Messrs. McCarthy, Kelley of Solano, and Reynolds.

Pending debate on this motion, the following reports of committees were received:

REPORTS OF COMMITTEES—(OUT OF ORDER).

ON ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, May 12, 1884.

MR. PRESIDENT: Your Committee on Enrollment beg leave to report that they have examined Senate Concurrent Resolution No. 4—Relative to instructing our Senators in the Senate of the United States to support the Mexican Veterans Pension Bill—and find the same correctly enrolled, and that said resolution has this day been placed in the hands of the Governor.

J. J. HARRIGAN, Chairman.

On motion of Mr. Del Valle, the Governor was respectfully solicited to forward Senate Concurrent Resolution No. 4 to our Senators in Congress, by telegraph.

ON ENGROSSMENT.

SENATE CHAMBER, SACRAMENTO, May 12, 1884.

MR. PRESIDENT: Your Committee on Engrossment have carefully examined amended Assembly Bill No. 29, and find it correctly engrossed.

T. K. NELSON, Chairman.

Consideration of Assembly Concurrent Resolution, relative to adjournment, resumed.

Mr. Ryan moved to amend the resolution, by striking out the words "Tuesday, the thirteenth day of May, 1884," and insert, in lieu thereof, the words "Friday, the sixteenth day of May, 1884."

After debate, the ayes and noes were demanded on the adoption of the amendment, by Messrs. Ryan, Lynch, and Spencer of Napa.

The roll was called, and the amendment rejected by the following vote:

AYES—Messrs. Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, McCarthy, Nelson, Perry, Ryan, and Whitney—12.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Del Valle, English, Fileher, Foster, Fraser, Johnson, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Wolfskill—26.

Question recurring upon the adoption of the original resolution, the roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Del Valle, English, Filcher, Foster, Fraser, Johnson, Kellogg, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Wolfskill—23.

NOES—Messrs. Cronan, Cross, Dougherty, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Knight, McCarthy, Nelson, Perry, Routier, Ryan, Vrooman, and Whitney—15.

Mr. Baldwin announced that he had been released from his pair on questions of adjournment.

At four o'clock and fifty-five minutes p. m., Mr. Kelley of Solano moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Maddox, Del Valle, and Foster.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Dougherty, Fraser, Kelley of Solano, Kellogg, and Nelson—8.

NOES—Messrs. Baldwin, Chandler, Cox, Del Valle, English, Filcher, Foster, Harrigan, Johnson, Keating, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill—28.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Del Valle:

Resolved, That the sum of seventy-five dollars, for which the Controller was authorized by resolution of the Senate to draw his warrant, in favor of Mrs. J. V. David, Postmistress of the Senate, be paid out of the Contingent Fund of the Senate.

Adopted.

By Mr. Maddox:

Resolved, That S. Emory be and is hereby allowed ten dollars for washing towels, and that the Controller is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Senate, for the same.

Also, the following:

Resolved, That the Capital Ice and Coal Company be and is hereby allowed twenty-one dollars and sixty cents, and that the Controller is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Senate, for the same.

Also, the following:

Resolved, That G. H. Rave be and is hereby allowed the sum of twenty-eight dollars and fifty cents for repairing locks and making keys for desks of Senate Chamber, and that the Controller is hereby authorized to draw his warrant, payable out of the Contingent Fund of the Senate.

On motion of Mr. Ryan to suspend the rules for the consideration of the above resolutions, the roll was called, with the following result:

AYES—Messrs. Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kellogg, Knight, Langford, McCarthy, Nelson, Reddy, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, and Whitney—26.

NOES—Messrs. Cox, Filcher, Kelley of Solano, Lynch, Maddox, Murphy, Perry, Reynolds, and Wolfskill—9.

So ordered.

The above resolutions, offered by Mr. Maddox, were adopted.

By Mr. Kellogg:

Resolved, That the Postmistress of the Senate be and she is hereby directed and authorized to remain at Sacramento until Saturday evening, May 17, 1884, for the purpose of receiving all of the mail of the members of the Senate and forwarding the same to their addresses; and the Controller is hereby authorized to draw his warrant out of the Contingent Fund of the Senate to pay her per diem.

Adopted.

By Mr. Taylor :

Resolved, That James Costello and Daniel Coughlan, Watchmen of the Senate, be and they (each) are hereby allowed the sum of one dollar a day for extra services rendered as Watchmen, from the commencement of the session, and the Controller of the State is hereby authorized and directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Question being upon the suspension of the rules to admit consideration of this resolution, the roll was called, with the following result :

AYES—Messrs. Brooks, Cronan, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Keating, Kelly of San Francisco, Kellogg, Langford, McCarthy, Murphy, Nelson, Perry, Reddy, Routier, Spence of Napa, Sullivan, Taylor, Vrooman, and Whitney—23.

NOES—Messrs. Baldwin, Chandler, Cox, Filcher, Fraser, Kelley of Solano, Knight, Lynch, Maddox, Reynolds, Spence of Stanislaus, and Wolfskill—12.

So ordered.

On the adoption of the resolution, the ayes and noes were demanded by Messrs. Filcher, Maddox, and Wolfskill.

Roll called, and the resolution adopted by the following vote :

AYES—Messrs. Brooks, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Harrigan, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, McCarthy, Nelson, Perry, Reddy, Routier, Spence of Napa, Sullivan, Taylor, Vrooman, and Whitney—25.

NOES—Messrs. Baldwin, Chandler, Filcher, Lynch, Maddox, Reynolds, Spence of Stanislaus, and Wolfskill—8.

At five o'clock and fifteen minutes P. M., Mr. Maddox moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Maddox, Kelley of Solano, and Brooks.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Cross, Kelly of San Francisco, McCarthy, Nelson, Ryan, and Vrooman—6.

NOES—Messrs. Baldwin, Brooks, Chandler, Cronan, Del Valle, English, Filcher, Foster, Fraser, Johnson, Keating, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Perry, Reddy, Reynolds, Routier, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—28.

Mr. Vrooman moved a call of the Senate.

Lost.

Mr. Sullivan moved to take up Assembly message relating to Senate Bill No. 15.

At five o'clock and twenty-five minutes P. M., Mr. Vrooman moved to adjourn.

Ayes and noes demanded on the motion, by Messrs. Reynolds, Perry, and Johnson.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Cross, Dougherty, Keating, Kelly of San Francisco, Kellogg, Maddox, McCarthy, Nelson, Perry, Ryan, and Vrooman—11.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Del Valle, English, Filcher, Foster, Harrigan, Johnson, Knight, Langford, Lynch, Murphy, Reddy, Reynolds, Routier, Spence of Napa, Spence of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—24.

Mr. Sullivan moved to take up Assembly message relative to Senate Bill No. 15.

Ayes and noes demanded on the motion, by Messrs. Perry, Maddox, and Johnson.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—32.

NOES—Messrs. Keating, McCarthy, Nelson, Perry, and Vrooman—5.

MESSAGE FROM THE ASSEMBLY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed, with amendments, Senate Bill No. 15—An Act to amend section nine, of article thirteen, of the Constitution of the State of California, relative to the Board of Equalization.

The Senate is respectfully requested to concur in said amendments.

JULIUS REIMER, Assistant Clerk.

Mr. Sullivan moved to take up Senate Bill No. 15 for consideration of Assembly amendments.

So ordered.

Mr. Sullivan moved that the Senate concur in the Assembly amendments to Senate Bill No. 15.

Roll called, and the Senate concurred in the amendments by the following vote:

AYES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Knight, Langford, Lynch, Maddox, McCarthy, Murphy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—33.

NOES—Messrs. Nelson, Perry, and Vrooman—3.

Senate Bill No. 15 referred to Committee on Enrolled Bills.

Mr. Reddy asked leave to introduce the following resolution:

WHEREAS, It has been the custom at previous sessions to employ a Page whose duties were to take and distribute all bills introduced in both Houses on the Senators desks, and as the Pages of this session have done said indispensable duties, now be it hereby

Resolved, That the Pages of the Senate be allowed one dollar each per day extra for said services, and the Controller is hereby authorized to draw his warrant in favor of said Pages, out of the Contingent Fund of the Senate.

Mr. Filcher moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Maddox, Filcher, and Reynolds.

Roll called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Cronan, Filcher, Kelly of San Francisco, Kelley of Solano, Langford, Lynch, Maddox, Nelson, Reynolds, and Ryan—11.

NOES—Messrs. Baldwin, Buck, Cross, Del Valle, Dougherty, English, Foster, Harrigan, Keating, Knight, McCarthy, Murphy, Perry, Reddy, Routier, Spencer of Napa, Sullivan, Taylor, Vrooman, Wallis, and Wolfskill—21.

At five o'clock and forty-eight minutes p. m., Mr. Maddox moved to adjourn.

The ayes and noes were demanded on the motion, by Messrs. Reddy, Maddox, and McCarthy.

The roll was called, with the following result:

AYES—Messrs. Baldwin, Buck, Chandler, English, Filcher, Fraser, Keating, Kelley of Solano, Kellogg, Knight, Langford, Lyneh, Maddox, Nelson, Perry, Reynolds, Spencer of Stanislaus, Sullivan, and Wolfskill—18.

NOES—Messrs. Brooks, Cronan, Cross, Del Valle, Dougherty, Foster, Harrigan, Johnson, Kelly of San Francisco, McCarthy, Murphy, Reddy, Routier, Ryan, Spencer of Napa, Taylor, Vrooman, and Whitney—18.

Whereupon, the President exercised his constitutional right, and voted in the negative.

Motion lost.

Mr. Filcher moved a call of the Senate.

Ayes and noes demanded on the motion, by Messrs. Maddox, English, and Langford.

Roll called, and the motion lost by the following vote :

AYES—Messrs. Baldwin, Buck, Cox, Fileher, Kelley of Solano, Kellogg, Langford, Lynch, Maddox, Perry, and Reynolds—10.

NOES—Messrs. Brooks, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Foster, Fraser, Johnson, Keating, Kelly of San Francisco, Knight, McCarthy, Murphy, Nelson, Reddy, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill—26.

ADJOURNMENT.

At five o'clock and fifty-five minutes P. M., Mr. English moved to adjourn.

The ayes and noes were demanded on the motion, by Messrs. Maddox, Taylor, and Reynolds.

The roll was called, and the motion carried by the following vote :

AYES—Messrs. Baldwin, Buck, Chandler, Cox, English, Fileher, Fraser, Keating, Kellogg, Knight, Langford, Lynch, Maddox, Murphy, Nelson, Perry, Reynolds, Spencer of Napa, Spencer of Stanislaus, Sullivan, Vrooman, and Wolfskill—22.

NOES—Messrs. Brooks, Cronan, Cross, Del Valle, Dougherty, Foster, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, McCarthy, Reddy, Routier, Ryan, Taylor, and Whitney—16.

Whereupon, the Senate adjourned.

IN SENATE.

SENATE CHAMBER, }
Tuesday, May 13, 1884. }

The Senate met at ten o'clock A. M., pursuant to adjournment.

President Daggett in the chair.

Roll called, and the following Senators answered to their names :

Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Lynch, Maddox, McCarthy, McClure, Nelson, Perry, Reddy, Reynolds, Routier, Ryan, Spencer of Stanislaus, Sullivan, Taylor, Vrooman, Wallis, Whitney, and Wolfskill.

Quorum present.

Journal of yesterday read and approved.

CONSIDERATION OF RESOLUTIONS—(OUT OF ORDER).

Mr. Reddy moved to take up the following resolution, relating to Pages:

WHEREAS, It has been the custom at previous sessions to employ a Page whose duties were to take and distribute all bills introduced in both Houses on the Senators desks, and as the Pages of this session have done said indispensable duties, now be it hereby

Resolved, That the Pages of the Senate be allowed one dollar each per day extra for said services, and the Controller is hereby authorized to draw his warrant in favor of said Pages, out of the Contingent Fund of the Senate.

Mr. Reddy moved to amend by adding the name of H. Jones, Gallery Porter.

Amendment accepted.

Mr. Langford moved to amend by adding the name of W. J. McGuire, Rear Porter.

Amendment accepted.

Upon the question of the adoption of the resolution, as amended, the ayes and noes were demanded by Messrs. Filcher, Maddox, and Langford.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Brooks, Cronan, Cross, Del Valle, Dougherty, Foster, Harrigan, Keating, Kelly of San Francisco, Kellogg, McCarthy, McClure, Nelson, Perry, Reddy, Routier, Ryan, Sullivan, Taylor, Vrooman, Wallis, and Whitney—22.

NOES—Messrs. Baldwin, Buck, Filcher, Fraser, Kelley of Solano, Langford, Lynch, Maddox, Reynolds, and Spencer of Stanislaus—10.

By Mr. Routier:

Resolved, That Len. Wilson and J. D. Farrell, Porters on the floor of the Senate, and Joe Van Praag, J. H. Williams, and J. D. Cullen, committee room Porters, be allowed one dollar per diem for each day of the session for extra services rendered, the same to be paid out of the Contingent Fund of the Senate; and the Controller is hereby directed and authorized to draw his warrants on said fund for the amounts so due.

Upon the adoption of the resolution, the ayes and noes were demanded by Messrs. Maddox, English, and Baldwin.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Brooks, Buck, Cronan, Cross, Del Valle, Dougherty, Foster, Harrigan, Keating, Kelley of Solano, Kellogg, Knight, McClure, Nelson, Perry, Reddy, Routier, Ryan, Sullivan, Taylor, Wallis, and Whitney—22.

NOES—Messrs. Baldwin, English, Filcher, Fraser, Langford, Maddox, Reynolds, and Spencer of Stanislaus—8.

REPORT OF COMMITTEE—(OUT OF ORDER).

ON ENROLLED BILLS.

SENATE CHAMBER, SACRAMENTO, May 13, 1884.

MR. PRESIDENT: Your Committee on Enrollment have examined and found correctly enrolled Senate Bill No. 15.

HARRIGAN, Chairman.

Mr. English moved to take up Assembly Bill No. 29 out of order.

Ayes and noes demanded on the motion, by Messrs. Cross, Ryan, and Brooks.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Keating, Kelley of Solano, Kellogg, Langford, Maddox, McCarthy,

McClure, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Sullivan, Taylor, Vrooman, and Whitney—28.

NOES—Messrs. Fraser, Perry, Routier, Spencer of Stanislaus, Wallis, and Wolfskill—6.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 29—An Act to provide for taxes upon the income of railroad corporations who shall fail to pay their property taxes.

Read third time, and passed by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Johnson, Keating, Kelly of San Francisco, Kelley of Solano, Kellogg, Knight, Langford, Maddox, McCarthy, McClure, Nelson, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Sullivan, Taylor, Vrooman, Whitney, and Wolfskill—34.

NOES—Messrs. Harrigan, Perry, Spencer of Stanislaus, and Wallis—4.

Title read and approved.

The President announced that in justice to the Journal Clerk, W. J. McGee, he wished to say he was wrongly informed as to announcement Tuesday, and that Mr. McGee was absent but four days, and would have had leave of absence but for a misunderstanding.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Wallis:

Resolved, That the following named officers of the Senate be allowed mileage from their respective county seats, as follows:

J. J. McCarthy, Assistant Secretary, 168 miles.....	\$16 80
R. J. Falk, Assistant Minute Clerk, 168 miles.....	16 80
W. J. McGee, Journal Clerk, 168 miles.....	16 80
G. F. Tuttle, Engrossing Clerk, 168 miles.....	16 80
A. Norton, Enrolling Clerk, 956 miles.....	95 60
Mrs. J. V. David, Postmistress, 168 miles.....	16 80

And that the Controller of State be and is hereby authorized to draw his warrant in favor of said above officers, upon the Contingent Fund of the Senate, for the amounts above set forth.

Mr. Langford moved to indefinitely postpone consideration of the resolution.

Ayes and noes demanded on the motion, by Messrs. Langford, Wallis, and Fraser.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, English, Filcher, Fraser, Kelley of Solano, Langford, Lynch, Maddox, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Vrooman, and Wolfskill—18.

NOES—Messrs. Cross, Del Valle, Dougherty, Foster, Harrigan, Johnson, Keating, Kelly of San Francisco, Knight, Perry, Routier, Sullivan, Taylor, and Wallis—14.

So ordered.

By Mr. Cross:

Resolved, That Mr. S. W. Maslin is entitled to thirty-two dollars for services as Porter of Judiciary Committee previous to appointment of the regular Porter, and the Controller is hereby directed to draw his warrant upon the Contingent Fund of the Senate for the same.

Adopted.

ASSEMBLY MESSAGES.

Mr. Langford moved to take up Assembly messages relative to Assembly Bill No. 10.

Ayes and noes demanded on the motion, by Messrs. Langford, Spencer of Stanislaus, and Harrigan.

Roll called, and the motion carried by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Cross, Del Valle, English, Filcher, Foster, Fraser, Johnson, Kelly of San Francisco, Kellogg, Knight, Langford, Lynch, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—27.

NOES—Messrs. Dougherty, Harrigan, Keating, Kelley of Solano, McCarthy, McClure, Perry, Routier, Vrooman, and Wallis—10.

Consideration of Assembly message relative to Assembly Bill No. 10.

Mr. Langford moved that the Senate do recede from the amendment to section one, line nine, as follows: "as to freight of the same kind or class, from the same station and in the same direction."

Pending debate on this question, Mr. Knight moved for a call of the Senate.

Ayes and noes being demanded, the roll was called, and the motion lost by the following vote:

AYES—Messrs. Cronan, Dougherty, Keating, Kelley of Solano, Kellogg, Knight, McCarthy, McClure, Nelson, Perry, Ryan, Vrooman, and Wallis—13.

NOES—Messrs. Baldwin, Brooks, Chandler, Cox, Cross, Del Valle, English, Filcher, Foster, Fraser, Harrigan, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, Reddy, Reynolds, Routier, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—25.

LEAVE OF ABSENCE.

Mr. Murphy was granted indefinite leave of absence.

Pending further debate on the motion to recede, Mr. Maddox moved to indefinitely postpone further consideration of Assembly Bill No. 10.

Ayes and noes demanded on the motion, by Messrs. Brooks, Langford, and Filcher.

Mr. McClure moved a call of the Senate.

Ayes and noes being demanded, the roll was called, and the motion lost by the following vote:

AYES—Messrs. Fraser, Harrigan, Kelley of Solano, McClure, Nelson, Perry, Vrooman, and Wallis—8.

NOES—Messrs. Baldwin, Brooks, Buck, Chandler, Cox, Cronan, Del Valle, Dougherty, English, Filcher, Foster, Johnson, Kelly of San Francisco, Langford, Lynch, Maddox, McCarthy, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, and Whitney—26.

The question recurring upon the motion to postpone further consideration of Assembly Bill No. 10, the roll was called, and the motion lost by the following vote:

AYES—Messrs. Brooks, Fraser, Maddox, McClure, Perry, Routier, Vrooman, and Wallis—8.

NOES—Messrs. Baldwin, Buck, Chandler, Cox, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Harrigan, Johnson, Kelly of San Francisco, Kelley of Solano, Kellogg, Langford, Lynch, McCarthy, Nelson, Reddy, Reynolds, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, Taylor, Whitney, and Wolfskill—29.

REPORTS OF COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, May 10, 1884.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred resolution of Senator Knight—Relative to adjournment sine die on Saturday, May 10, 1884.

Also, resolution of Senator Kellogg—Relative to adjournment sine die on Monday, May 12, 1884.

Have had the same under consideration, and report them back without recommendation.

CROSS, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, May 13, 1884.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 52—Entitled "An Act to amend section three thousand six hundred and thirty-two of the Political Code, relating to revenue and taxation and the powers and duties of Assessors"—have had the same under consideration, and respectfully report the same back, without recommendation.

MURPHY, Chairman.
FRED. COX.

Mr. Fraser moved to take up Assembly messages.

So ordered.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1884.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly, on this day, passed the following: Assembly Concurrent Resolution No. 20—Relative to the acquisition of large landed estates in the United States by non-resident foreigners.

JULIUS REIMER, Assistant Clerk.

Upon the question of the adoption of the resolution, the ayes and noes were demanded, by Messrs. Brooks, Fraser, and Filcher.

Roll called, and the resolution adopted by the following vote:

AYES—Messrs. Baldwin, Brooks, Buck, Chandler, Cronan, Cross, Del Valle, Dougherty, English, Filcher, Foster, Fraser, Harrigan, Johnson, Keating, Kelly, Nelson, Ferry, Reddy, Reynolds, Solano, Kellogg, Knight, Langford, Lynah, Maddox, McClure, Nelson, Ferry, Reddy, Reynolds, Routier, Ryan, Spencer of Napa, Spencer of Stanislaus, Sullivan, and Whelan.
NOES—Messrs. Vrooman and Wallis—2.

RESOLUTION.

By Mr. Del Valle:

Resolved, That a committee of three be appointed to inform the Governor that the Legislature is about to adjourn, and ask if he has any further communication to make to this body.

Adopted.

The President appointed as such committee Messrs. Del Valle, Knight, and Reynolds.

The committee appointed to wait on the Governor made a verbal report, that the Governor had no further communications to transmit.

Mr. Cross moved that a committee of three be appointed by the Chair, to wait on the Assembly, and ascertain if they have any further business to transmit to the Senate.

Carried.

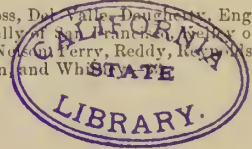
The President appointed as such committee Messrs. Cross, Filcher, and Vrooman.

Mr. English moved that further consideration of Assembly Bill No. 10 be indefinitely postponed.

Carried.

The committee appointed to confer with the Assembly made a verbal report, that the Assembly had no further business to transmit.

Mr. McClure moved that the President and Secretary be instructed



to examine and approve the Journal of to-day, upon its receipt to-morrow.

Carried.

A committee appeared from the Assembly, desiring to know if the Senate had any further messages to transmit to that body.

On motion, they were instructed that the Senate had no further communications to offer.

ADJOURNMENT.

At twelve o'clock meridian, pursuant to concurrent resolution adopted by both houses of the Legislature, the President declared the Senate adjourned sine die.

JOHN DAGGETT,
President of the Senate.

Attest:
EDWIN F. SMITH,
Secretary of the Senate.

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ABBREVIATIONS.—S. B., Senate Bill; A. B., Assembly Bill; S. C. R., Senate Concurrent Resolution; A. C. R., Assembly Concurrent Resolution; S. J. R., Senate Joint Resolution; A. J. R., Assembly Joint Resolution.

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